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SERIES I No. 30

OFFICIAL GOVERNMENT OF GOA GAZETTE



PUBLISHED BY AUTHORITY

NOTE

There are two Extraordinary issues to the Official Gazette, Series I No. 29 dated 17-10-2013, as follows:—

(1) Extraordinary dated 17-10-2013 from pages 1189 to 1200 regarding The Goa (Prevention of Illegal Mining, Storage and Transportation of Minerals) Rules, 2013— Not. No. DMG/MAJ/IST/RULES/2013/2103 from Department of Mines.

(2) Extraordinary No. 2 dated 22-10-2013 from pages 1201 to 1202 regarding Amendment to the Principal Notification of the Goa, Daman and Diu Public Gambling Act, 1976— Not. No. 21/2/2013 -HD (G) from Department of Home.

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GOVERNMENT OF GOA**Department of Agriculture****Directorate of Agriculture****Notification**

3/3/Hort/State/Well/2/2013-14/D.Agri/384

The following scheme approved by the Government is published for the general information of the public.

1. *Short title and commencement.*— (i) The scheme shall be called “Assistance for Digging and Construction of Irrigation Well”.

(ii) The scheme shall come into force with immediate effect and shall remain in force till it is withdrawn.

(iii) The scheme shall cover all talukas of the State of Goa.

2. *Objectives.*— (i) To help the farmer in creation of perennial source of water for crops.

(ii) To support the farmer for taking more than one crop to improve his earning.

(iii) To promote cultivation of profitable crops like vegetables to meet the need of the State.

3. *Selection of farmers.*— All the cultivators holding minimum 0.2 ha agricultural lands are eligible. The applicants name should be reflected on Index of Land (Form I & XIV). In case the applicant whose names are not reflected in the owners column/tenants column, documents supporting right of the applicant for cultivation shall be obtained.

4. *Pattern of Assistance.*— The farmers creating a new well shall be provided with financial assistance of 75% of the cost as subsidy as per farm size/area to be brought under irrigation as given below:—

Sr. No.	Well with Laterite Masonary/RCC Ring/Borewell	Farm size/total land holding to be irrigated (ha)	75% of the cost or maximum subsidy
1.	Min. 2 mts. diameter/ 50 mm bore	Upto 0.5 ha	Rs. 75,000
2.	Min. 3 mts. diameter/ 100 mm bore	Between 0.5-1.0 ha	Rs. 1,25,000
3.	Min. 4 mts. diameter/ 150 mm bore	More than 1.0 ha	Rs. 1,50,000

The farmer shall execute and complete the construction of well on his own or through contractors.

5. *Eligibility/criteria for selection of the farmers to provide the benefits.*— All the cultivators holding minimum 0.2 hectare area of agricultural land are eligible. The applicants name should be reflected on Index of Land (Form I & XIV). In case of applicant whose names are not reflected in the owners column, documents supporting right of the applicant for cultivation shall be obtained.

6. *Format of application.*— The form of application for assistance for well are attached herewith.

7. *Documents required to be attached along with application.*— (i) Index of form (Form I & XIV) if the name of the applicant differs, then on record the documents and affidavit in support of authority for cultivation shall be attached by applicant.

(ii) Survey plan of the plot with sketch showing proposed site for digging well.

(iii) NOC from Water Resources Department under Goa Ground Water Regulation Act, for opening of new well stating that no grant from Water Resources Department under any scheme is available to the applicant.

8. *Guidelines & Procedure for sanction.*— (i) The scheme shall be monitored and executed by Horticulture Section of the Directorate of Agriculture under the control of Deputy Director of Agriculture (Hort).

(ii) Application along with Index of land affidavit to support the ownership if required, survey plan with sketch of the proposed well and quotation for estimated expenditure shall be submitted to Zonal Agricultural Officer by the farmer.

(iii) The farmer shall furnish NOC from Water Resources Department (WRD) under Goa Ground Water Regulation Act for opening of the well. If NOC is not attached Zonal Agricultural Officer shall forward the case to WRD for issue of NOC for well in the prescribed form submitted by the farmer along with application. NOC from WRD shall specify that the beneficiary under the scheme

has not availed benefit during at least past ten years for similar scheme from WRD.

(iv) The Zonal Agricultural Officer shall inspect the site and issue administrative approval or forward to Directorate of Agriculture for administrative approval (For cases about Rs. 1.50 lakhs).

(v) Administrative approval shall be accorded by Director of Agriculture through Horticulture Section of Directorate in cases above Rs. 1.50 lakhs.

(vi) The applicant shall undertake the digging and construction of well as per the NOC issued by Water Resources Department on receipt of approval from Directorate of Agriculture. After completion of digging/ /construction of well, the applicant shall submit the claim along with completion report, the expenditure vouchers/bills along with the photograph of the well to the Zonal Agricultural Office for settlement.

(vii) If the farmer has obtained loan from the bank, the completed case shall be submitted by farmer along with the voucher/ /receipt through the Bank Manager to Zonal Agricultural Office.

(viii) Zonal Agricultural Officer shall verify the bills, inspect the constructed well along with Junior Engineer of the Department who will verify the dimensions and expenditure as per GSR rates of the Government and certify the completion of the well and the expenditure incurred.

(ix) Zonal Agricultural Officer shall issue completion certificate along with his Inspection Report and forward the claim to Directorate of Agriculture with recommendations for release of subsidy.

(x) Horticulture Section at Directorate of Agriculture shall verify the claim to be in order inspect the well if required and recommend the claim for consideration of subsidy to Director of Agriculture. The Accounts Section shall check the availability of funds and the correctness of voucher before finalization and sanction by Director of Agriculture.

(xi) Preference will be given to the farmers who are regular cultivators, however 10% of the applications will be considered for youth below 40 years who show interest in cultivating his agricultural land kept fallow.

(xii) Applications will be accepted upto 31st of January of the financial year. No applications will be considered after closure date. However if there are vacancies/less applicants for area-wise targets then the approval of the Government shall be required. The procedure and inspections shall be completed within 30 days of closure of dates.

(xiii) The Director of Agriculture shall accord expenditure sanction and case shall be forwarded to Zonal Agricultural Office wherein bill will be preferred and subsidy shall be released by Director of Accounts through ECS favouring the applicant.

9. *Checks adopted by the department for verification of cases.*— 100% inspection of the cases will be done by the Zonal Agricultural Office before issue of administrative approval and after completion of the work. Zonal Agricultural Officer shall sign Completion Certificate and place Inspection Report on record. 25% of cases will be randomly inspected by Horticulture Section monitoring the scheme at Directorate of Agriculture.

10. *Undertaking.*— The applicant farmers shall submit an undertaking that he will utilize the benefit of the infrastructure of well created with Government Assistance at least for next six years for the cultivation of crops.

11. *Interpretation.*— If any question arises regarding interpretation of any clause, word, expression of the scheme, the decision shall lie with the Government, which shall be final and binding on all concerned.

12. *Redressal of Grievances and Disputes.*— Grievances if any arising out of the implementation of this scheme shall be heard and decided by the Minister for Agriculture and the decision of the Minister for Agriculture in this regard shall be final and binding on all concerned.

This issues with the concurrence of Finance Expenditure Department under U.O. No. Fin (Exp)/1483317 dated 19-09-2013.

By order and in the name of the Governor of Goa.

P. Tufani, Director & ex officio Joint Secretary (Agriculture).

Tonca-Caranzalem, 9th October, 2013.

Department of Civil Supplies and
Consumer Affairs

—
Order

DCS/EST/Creation of post/2013-14/168

Read: (1) Order No. DCS/EST/Creation of posts/
2013-14/139 dated 3rd September, 2013.

(2) Corrigendum No. DCS/EST/Creation
of posts/2013-14/04 dated 5-9-2013.

(3) Letter No. 1/32/2013-GAD-II/3494
dated 9-10-2013.

The Corrigendum issued by this Department
vide Order No. DCS/EST/Creation of post/2013-
14/04 dated 5-9-2013 is kept in abeyance as
per Government directions vide letter read at
Sr. No. 3 above.

By order and in the name of the
Governor of Goa.

Vikas S. N. Gaunekar, Director & ex officio
Joint Secretary (Civil Supplies & Consumer
Affairs).

Porvorim, 16th October, 2013.



Department of Education, Art & Culture

Directorate of Education

—
Notification

28-297-Adm.I/B/2013/1831

The following draft rules which are proposed
to be made so as to further amend the Goa,
Daman and Diu School Education Rules, 1986,
are hereby pre-published as required by
sub-section (1) of section 29 of the Goa, Daman
and Diu School Education Act, 1984 (Act No.
15 of 1985), for information of the persons likely
to be affected thereby and notice is hereby
given that the said draft rules will be taken
into consideration by the Government on the
expiry of fifteen days from the date of

publication of this Notification in the Official
Gazette.

All objections and suggestions, if any, to the
said draft rules may be forwarded to the
Director, Directorate of Education, Government
of Goa, Porvorim-Goa, before the expiry of said
period of fifteen days so that they may be taken
into consideration at the time of finalization of
the said draft rules.

DRAFT RULES

In exercise of the powers conferred by
section 29 of the Goa, Daman and Diu School
Education Act, 1984 (Act No. 15 of 1985), and
all other powers enabling it in this behalf, the
Government of Goa hereby makes the
following rules so as to further amend the Goa,
Daman and Diu School Education Rules, 1986,
namely:—

1. *Short title and commencement.*— (1)
These rules may be called the Goa School
Education (Amendment) Rules, 2013.

(2) They shall come into force from the
date of their publication in the Official
Gazette.

2. *Amendment of rule 162.*— In rule 162
of the Goa, Daman and Diu School
Education Rules, 1986, after clause (g), the
following clause (h) shall be inserted,
namely:—

[Retirement age (Rule 88 (1) and proviso
thereof].

“(h) re-employment of teacher on
attaining the age of superannuation
(Proviso to sub-rule (1) of Rule 88)”.

By order and in the name of the
Governor of Goa.

Anil V. Powar, Director & ex officio Joint
Secretary (Education).

Porvorim, 21st October, 2013.

Goa Legislature Secretariat

LA/LEGN/2013/1649

The following bill which was introduced in the Legislative Assembly of the State of Goa on 15th October, 2013 is hereby published for general information in pursuance of Rule 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 2013

(Bill No. 29 of 2013)

A

BILL

further to amend the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act 7 of 1974).

Be it enacted by the Legislative Assembly of Goa in the Sixty-fourth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Act, 2013.

(2) It shall be deemed to have come into force on the 1st day of August, 2013.

2. *Amendment of Schedule.*— In the Schedule appended to the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act 7 of 1974), in clause (1), in sub-clause (a),—

(i) for items (i) and (ii), the following shall be respectively substituted, namely:—

“(i) Vehicles permitted to ply as stage carriages — Rupees forty, per seat, per month, for the vehicles registered in the State of Goa.

Explanation:— Where stage carriage is permitted to carry standing passengers, one

third of fee per seat referred to in item (i) shall also be payable in respect of each of the standing passengers aforesaid as if seating accommodation had been provided for them.

(ii) Vehicles permitted to ply as contract carriages — Rupees seventy five, per seat, per month for the vehicle registered in the State of Goa and rupees three hundred, per seat, for the vehicles registered in a State other than the State of Goa, for one round trip.”.

(ii) in item (iii), for sub-item (c), the following shall be substituted, namely:—

“(C) for bus (sleeper coach):— Rupees two hundred, per passenger, per month.”;

(iii) for item (vi), the following shall be substituted, namely:—

“(vi) Vehicles in respect of which counter-signatures of permits have been granted under section 88(4) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), registered in a State other than the State of Goa and plying in the State of Goa, for bus or mini bus:— Rupees eight hundred, per seat, per month.”.

Repeal and Saving.— (1) The Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Ordinance, 2013 (Ordinance 1 of 2013) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Statement of Objects and Reasons

The Bill seeks to amend the Schedule appended to the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act 7 of 1974), so as to specify/revise rates of composition fee in respect of following vehicles:—

(i) Vehicles registered in the State of Goa and permitted to ply as stage carriages;

(ii) Vehicles registered in the State of Goa and vehicles registered in a State other than the State of Goa and permitted to ply as contract carriages.

(iii) For bus (sleeper coach) that are registered in the State of Goa and permits have been issued under section 88(9) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) and

(iv) Bus or mini bus that are registered in a State other than the State of Goa and plying in the State of Goa and countersignatures of permits have been issued under section 88(4) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988).

The Bill also seeks to repeal the Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Ordinance, 2013 (Ordinance No.1 of 2013) promulgated by the Governor of Goa on 23-8-2013.

This Bill seeks to achieve the above objects.

Financial Memorandum

The amendments proposed in the Bill would result in loss of revenue generation to the extent of Rs. 2.5 crores, per annum, approximately.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim-Goa. SHRI RAMKRISHNA ALIAS
11-10-2013. SUDIN DHAVALIKAR
Minister for Transport

Assembly Hall, N. B. SUBHEDAR,
Porvorim-Goa. Secretary to the Legislative
11-10-2013. Assembly of Goa

Governor's Recommendation under Article 207 of the Constitution of India

In pursuance of Article 207 of the Constitution of India, I, Bharat Vir Wanchoo, the Governor of Goa, hereby recommend the introduction and consideration of the Goa Motor Vehicles (Taxation on Passengers and Goods) (Amendment) Bill, 2013 by the Legislative Assembly of Goa.

Governor of Goa

ANNEXURE

(Bill No. 29 of 2013)

Extract of the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act 7 of 1974)

Schedule appended to the Act

(i) for items (i) to (iv), the following items shall be respectively substituted, namely:-

“(i) Vehicles permitted to ply as stage carriages
---Rupees fifty, per seat, per month, for the vehicles registered in the State of Goa.

Explanation:— Where stage carriage is permitted to carry standing passengers, one third of fee per seat referred to in item (i) shall also be payable in respect of each of the standing passengers aforesaid as if seating accommodation had been provided for them.

(ii) Vehicles permitted to ply as contract carriages -----One hundred rupees, per seat, per month for the vehicle registered in the State of Goa and rupees three hundred, per seat, for the vehicles registered in a State other than the State of Goa, for one round trip.

(iii) Vehicles in respect of which permits have been issued under section 88(9) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), registered in the State of Goa,

(A) for bus:- Rupees two hundred fifty, per seat, per month.

(B) for maxi cabs:- Rupees one hundred, per seat, per month.

(C) for bus (sleeper coach):- Rupees three hundred, per passenger, per month.

(iv) Vehicles in respect of which permits have been issued under section 88(9) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), registered in a State other than the State of Goa and plying in the State of Goa,

(A) for bus:- Rupees six hundred, per seat, per month.

(B) for maxi cabs:- Rupees three hundred, per seat, per month.

(ii) after item (iv), the following items shall be inserted, namely:—

“(v) Vehicles in respect of which permits have been issued under section 88(8) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988)/(special

permit) registered in a State other than the State of Goa and plying in the State of Goa,

(A) for bus and maxi cabs:- Rupees one hundred fifty, per seat, for single return trip.

(B) for bus (sleeper coach):- Rupees three hundred, per passenger, for single return trip.

(vi) Vehicles in respect of which countersignatures of permits have been granted under section 88(4) of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), registered in a State other than the State of Goa and plying in the State of Goa,

(A) for bus or mini bus:- Rupees one thousand two hundred, per seat, per month".

Assembly Hall,
Porvorim-Goa.

N. B. SUBHEDAR,
Secretary, Legislature

LA/LEGN/2013/1650

The following bill which was introduced in the Legislative Assembly of the State of Goa on 15th October, 2013 is hereby published for general information in pursuance of Rule 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Industrial Development (Amendment) Bill, 2013

(Bill No. 31 of 2013)

A

BILL

further to amend the Goa Industrial Development Act, 1965 (Act 22 of 1965).

Be it enacted by the Legislative Assembly of Goa in the Sixty-fourth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Industrial Development (Amendment) Act, 2013.

(2) It shall come into force at once.

2. *Insertion of new section 37B.*— In the Goa Industrial Development Act, 1965 (Act 22 of

1965), after section 37A, the following section shall be inserted, namely:—

“37B. *Development of areas.*— (1) Notwithstanding anything to the contrary contained in any other law for the time being in force, once a notification is issued under sub-section (1) of section 37A declaring an industrial area as a notified area the State Government, may, by notification in the Official Gazette, appoint a Committee consisting of— (i) the Managing Director of the Corporation— Chairperson; (ii) Under Secretary (Revenue) to the Government of Goa— Member; (iii) One member nominated by the Corporation from amongst the Directors of the Corporation having knowledge in the field of engineering, architecture, industry, etc.— Member; (iv) Deputy Town Planner in the Town and Country Planning Department to be nominated by the Government— Member Secretary; to decide and dispose of all applications for land development, permissions, No Objection Certificate, construction of building under all local or special laws including Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975) and rules framed thereunder (hereinafter in this section referred to as the “said Act”).

(2) The Committee shall discharge all the functions of the Chief Town Planner, Town and Country Planning Department in a non planning area, and functions of the Planning and Development Authority in a planning area, under the laws in force.

(3) The Committee shall have regard to the provisions of all local laws including any regional plan, outline development plan, comprehensive development plan or other plans prepared under the said Act.

(4) Notwithstanding anything to the contrary contained in any other law for the time being in force, permissions for any development in an Industrial area shall be governed by the regulations framed by the Corporation.

(5) Any person aggrieved by the decision or order made by the Committee, may prefer an appeal to the Goa Town and Country Planning Board. The provisions of section 45 of the said Act, and the rules framed thereunder, shall, *mutatis mutandis*, apply to such appeal."

Statement of Objects and Reasons

The Bill seeks to insert a new section 37B in the Goa Industrial Development Act, 1965 (Act 22 of 1965) (hereinafter referred to as the "said Act") so as to facilitate the Industrial Entrepreneurs to obtain necessary permission expeditiously, as the functions of a Planning and Development Authority shall be carried out by the Committee to be appointed under the said Act, by virtue of the proposed amendment to the said Act.

The said Committee shall have regard to the provisions of all local laws including any regional plan, outline development plan, comprehensive development plan or other plans prepared under the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975) and the rules framed thereunder.

The Bill seeks to achieve the above objects.

Financial Memorandum

There are no financial implications involved in the Bill.

Memorandum Regarding Delegated Legislation

Clause 2 of the Bill empowers the Government to issue notification in the Official Gazette, for appointing a Committee.

This delegation is of normal character.

Porvorim-Goa, 14th October, 2013. MAHADEV NAIK
Minister for Industries

Assembly Hall, N.B. SUBHEDAR
Porvorim-Goa, Secretary to the Legislative
14th October, 2013. Assembly of Goa

LA/LEGN/2013/1651

The following bill which was introduced in the Legislative Assembly of the State of Goa on 15th October, 2013 is hereby published for general information in pursuance of Rule 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Tax on Infrastructure (Second Amendment) Bill, 2013

(Bill No. 30 of 2013)

A

BILL

further to amend the Goa Tax on Infrastructure Act, 2009 (Goa Act 20 of 2009).

Be it enacted by the Legislative Assembly of Goa in the Sixty-fourth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Tax on Infrastructure (Second Amendment) Act, 2013.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of Section 2.*— In section 2 of the Goa Tax on Infrastructure Act, 2009 (Goa Act 20 of 2009) (hereinafter referred to as the "principal Act"),

(i) for clause (ia), the following clause shall be substituted, namely:—

"(ia) other building" means a building or structure other than residential building, commercial building, industrial building and other industrial building";

(ii) after clause (ia), the following clause shall be inserted, namely:—

“(ib) “other industrial building” means any building or structure constructed for the purpose of carrying out small scale industrial activity within or outside the areas earmarked and notified as industrial estates/areas and includes building or structure constructed for carrying out the activity by ‘small scale industrial undertaking’ as defined in clause (j) of section 3 of the Industries (Development and Regulation) Act, 1951 (Central Act 65 of 1951) and/or the notification/order issued thereunder or by ‘micro enterprise’ or ‘small enterprise’ as defined in clauses (h) and (m) respectively, of section 2 of the Micro, Small and Medium Enterprises Development Act, 2006 (Central Act 27 of 2006);”.

3. *Amendment of the Schedule.*— In the Schedule to the principal Act, after column (4), the following column shall be inserted, namely:—

“(5) other Industrial Building

Buildings/structures for small scale industrial activities including for the activity by the Small Scale industrial undertaking/ /micro enterprise/small enterprise.

25% of the rate applicable to industrial building.

25% of the rate applicable to industrial building.

25% of the rate applicable to industrial building.

75% of the rate specified in respective category above.

Statement of Objects and Reasons

Infrastructure Tax is levied in the State of Goa w.e.f. 2009 for various developments under Residential, Commercial & Industrial Zones. An amendment was carried out to the Goa Tax on Infrastructure (First Amendment) Act published in the Official Gazette Series I No. 7 Extraordinary No. 2 dated 20-5-2013 which enhanced rate of tax across the Board as well as amended the definitions of the floor area and included the concept of built up area also included a number of other construction activities within the ambit of Goa Tax on Infrastructure Tax Act, 2013.

It is observed that the small scale industrial units (small scale industries) are not defined separately and are currently treated as “Industrial buildings”. Since, the industrial units are facing initial hardships to establish, the cost of Infrastructure Tax is being seen as a major burden, and the Government desires to review the provisions concerning the industrial buildings, so as to encourage the **small scale industries** growth. Under sub-section (1) of Section 6, the Act provides defining the structures as (1) residential buildings, (2) commercial buildings, (3) industrial buildings and (4) other buildings. Whereas, all other structures/buildings which are not classified under the above three categories are defined under “other buildings”. Whereas in the correspondings schedule **small scale industries** are not indicated under “other buildings” and hence are now proposed to be introduced in the Act as an amendment.

Memorandum Regarding Delegated Legislation

No delegated legislation is involved in this Bill.

Porvorim-Goa.
Dated: 11-10-2013.

MANOHAR PARRIKAR
Hon. Chief Minister

Assembly Hall,
Porvorim-Goa.
Dated: 11-10-2013

N. B. SUBHEDAR,
Secretary to the
Legislative Assembly of Goa

ANNEXURE

(Bill No. 30 of 2013)

Extract of the Goa Tax on Infrastructure (First Amendment) Act, 2013
(Goa Act 6 of 2013) (16-5-2013)

The Schedule appended to the Act

"SCHEDULE

Rate of infrastructure tax payable, per square meter of built up area									
	(1)		(2)	(3)	(4)				
	Residential building		Commercial building	Industrial building	Other Buildings				
	(A)	(B)			(A)	(B)	(C)	(D)	(E)
Type of area/land	Residential building or structure having a built up area which admeasures 100 sq. mts. or below	Residential building or structure having a built up area which admeasures 101 sq. mts. or above			Agriculture and allied structures	Agro based industrial buildings/structures including agro-tourism structures	Recreational and entertainment structures, structures associated with dance floors, amusement parks, gokarting tracks	Communication structures such as towers and the like whose built up area cannot be quantified	Buildings/structures not covered under (A) to (D)
(1) <i>Category A</i> Coastal Panchayat areas and five major towns, namely, Panaji, Mapusa, Ponda, Mormugao and Margao	NIL	Rs. 200/-	Rs. 800/-	Rs. 250/-	25% of the rate applicable to residential building	50% of the rate applicable to industrial building	50% of the rate applicable to commercial building	Rs. 25,000/- per structure	Rs. 200/-.
(2) <i>Category B</i> Other Municipal towns, Census towns and Village Panchayats adjoining or contiguous to the major towns of Panaji, Mapusa, Ponda, Mormugao and Margao	NIL	Rs. 200/-	Rs. 600/-	Rs. 250/-	25% of the rate applicable to residential building	50% of the rate applicable to industrial building	50% of the rate applicable to commercial building	Rs. 15,000/- per structure	Rs. 200/-.

Rate of infrastructure tax payable, per square meter of built up area									
	(1)		(2)		(3)		(4)		
	Residential building		Commercial building		Industrial building		Other Buildings		
	(A)	(B)			(A)	(B)	(C)	(D)	(E)
(3) <i>Category C</i> Other Village Panchayat areas	NIL	Rs. 200/-	Rs. 400/-	Rs. 250/-	25% of the rate appli- cable to residen- tial building	50% of the rate appli- cable to indus- trial building	50% of the rate appli- cable to commer- cial building	Rs. 10,000/- per struc- ture	Rs. 200/-.
(4) Service charge for buildings con- structed by any corporation or under- taking constituted under the Central or State enactment, or any State Govern- ment, or local bodies, in land/area specified above	NIL	75% of the rate specified in respec- tive category above	75% of the rate specified in respec- tive category above	75% of the rate specified in respec- tive category above	75% of the rate specified in respec- tive category above	75% of the rate specified in respec- tive category above	75% of the rate specified in respec- tive category above	75% of the rate speci- fied in respec- tive cat- egory above	75% of the rate appli- cable to resi- dential build- ing in respec- tive cat- egory above.

Assembly Hall,
Porvorim, Goa.

N. B. SUBHEDAR
Secretary, Legislature

LA/LEGN/2013/1666

The following bill which was introduced in the Legislative Assembly of the State of Goa on 16th October, 2013 is hereby published for general information in pursuance of Rule 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa High Court (Hearing of Writ Petitions by Division Bench and Abolition of Letters Patent Appeals) Bill, 2013

(Bill No. 32 of 2013)

A

BILL

to provide for hearing of Writ Petitions by Division Bench and for abolition of Letters Patent Appeals in the High Court of Bombay at Goa.

Be it enacted by the Legislative Assembly of Goa in the Sixty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa High Court (Hearing of Writ Petitions by Division Bench and Abolition of Letters Patent Appeals) Act, 2013.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Writ Petitions, etc. in the High Court of Bombay at Goa to be heard by Division Bench.*— Notwithstanding anything contained in any law for the time being in force or in any instrument having the force of law, every application for the issue of any direction, order or writ under Article 226 of the Constitution of India and every application invoking the jurisdiction of the High Court under Article 227 or Article 228 of the Constitution of India, pending before the High Court of Bombay at

Goa, on the date of commencement of this Act, or filed on or after the said date, shall be heard and disposed off by a Division Bench comprising of two Judges to be appointed by the Chief Justice of the High Court of Bombay:

Provided that, the High Court of Bombay may, by rules made after previous publication prescribe that such of the applications referred to above, as may be specified in the rules, may be heard and disposed of by a single Judge appointed by the Chief Justice.

3. *Abolition of appeal from judgment or order of single Judge of High Court of Bombay at Goa made in exercise of original or appellate jurisdiction.*— (1) Notwithstanding anything contained in the Letters Patent for the High Court of Judicature at Bombay, dated the 28th December, 1865 and in any other instrument having the force of law or in any other law for the time being in force, no appeal arising from the applications referred to in section 2 or an appeal under any Statute, instituted or commenced, whether before or after the commencement of this Act, shall lie to the High Court of Bombay at Goa from a Judgment, decree or order of a single Judge of the High Court made on or after the commencement of this Act, whether in the exercise of the original or appellate Jurisdiction of the High Court of Bombay at Goa.

(2) Notwithstanding anything contained in sub-section (1), all such appeals pending before the High Court of Bombay at Goa on the date immediately preceding the date of commencement of this Act shall be continued and disposed of by that Court, as if this Act had not been passed.

Statement of Objects and Reasons

In view of mounting arrears in the High Court of Bombay at Goa and to discourage further litigation in the same Court and to give finality to the decisions of the High Court of Bombay at Goa, even though given by a single Judge, it is necessary to abolish appeals in the High Court of Bombay at Goa from Judgment or orders of a single Judge, whether

exercising from original or appellate jurisdiction, on the lines of the Maharashtra High Court (Hearing of Writ Petitions by Division Bench and Abolition of Letters Patent Appeals) Act, 1986 (Maharashtra Act No. XVII of 1986) enacted in Maharashtra.

This Bill seeks to achieve the above object.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

Clause 1(2) of the Bill empowers the Government to issue notification for appointing the date to bring into force the Act.

Clause 2 of the Bill empowers the High Court of Bombay to frame rules prescribing the applications which may be heard and disposed off by a single Judge appointed by the Chief Justice.

These delegations are of normal character.

Porvorim-Goa. MANOHAR PARRIKAR
Dated: 15-10-2013. Hon. Chief Minister
Assembly Hall, N. B. SUBHEDAR,
Porvorim-Goa. Secretary to the
Dated: 15-10-2013. Legislative Assembly of Goa

LA/LEGN/2013/1667

The following bill which was introduced in the Legislative Assembly of the State of Goa on 16th October, 2013 is hereby published for general information in pursuance of Rule 138 of the Rules of Procedure and Conduct of Business of the Goa Legislative Assembly.

The Goa Co-operative Societies (Amendment) Bill, 2013

(Bill No. 33 of 2013)

A

BILL

further to amend the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001).

Be it enacted by the Legislative Assembly of Goa in the Sixty-fourth Year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Co-operative Societies (Amendment) Act, 2013.

(2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2.*— In section 2 of the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001) (hereinafter referred to as the “principal Act”),—

(i) after clause (5), the following clause shall be inserted, namely:—

“(5a) “authorised person” means a person authorised under the provisions of this Act;”;

(ii) for clause (6), the following clause shall be substituted, namely:—

“(6) “board” means the board of directors or the governing body of a society, to which the direction and control of the management of the affairs of a society is entrusted to;”;

(iii) after clause (9), the following clauses shall be inserted, namely:—

“(9a) “Committee” means the managing committee or other body, to which the management of the affairs of a society is entrusted;

(9b) “Co-operative Society” means a society registered or deemed to be registered under this Act;”;

(iv) clause (16) shall be omitted;

(v) after clause (19), the following clause shall be inserted, namely:—

“(19a) “Executive Magistrate” means an Executive Magistrate appointed by the Government;”;

(vi) after clause (20), the following clauses shall be inserted, namely:—

“(20a) “Financing Bank” means a co-operative bank, the objects of which includes the creation of funds to be lent to other co-operative societies;

(20b) “firm” means a firm registered under the Indian Partnership Act, 1932 (Central Act 9 of 1932);”;

(vii) after clause (26), the following clause shall be inserted, namely:—

“(26a) “Limited Liability Partnership” means a firm registered under the Limited Liability Partnership Act, 2008 (Central Act 6 of 2009);

(viii) for clause (29), the following clause shall be substituted, namely:—

“(29) “Multi-State Co-operative Society” means a co-operative society with objects not confined to one State and registered or deemed to be registered under any law for the time being in force relating to such co-operatives;”;

(ix) clause (30A) shall be renumbered as clause (30a) and after clause (30a) as so renumbered, the following clause shall be inserted, namely:—

“(30b) “office bearer” means a President, Vice-President, Chairperson, Vice-Chairperson, Secretary, Treasurer, of a co-operative society and includes any other person to be elected by the board of any co-operative society;”;

(x) for clause (31), the following clause shall be substituted, namely:—

“(31) “Officer” means the person empowered under this Act or under the rules or under the bye-laws to give directions in regard to day to day business of a co-operative society;”;

(xi) after clause (38), the following clause shall be inserted, namely:—

“(38a) “Recovery Officer” means any person empowered to exercise in any district, the powers specifically delegated by the Registrar in relation to the recovery of debts under this Act;”;

(xii) after clause (41), the following clauses shall be inserted, namely:—

“(41a) “Sale Officer” means any person empowered by the Registrar by general or special order, to attach and sell the property of defaulters or to execute any decree by attachment and sale of property;

(41b) “section” means a section of this Act;”;

(xiii) after clause (42), the following clause shall be inserted, namely:—

(42a) “State level co-operative society” means a co-operative society having its area of operation extending to the whole of a State and defined as such in any law made by the Legislature of a State;”;

(xiv) after clause (45), the following clause shall be inserted, namely:—

“(45a) “surety” means a guarantor to the principal debtor of the society who may or may not be a member of the society;”;

(xv) after clause (46), the following clauses shall be inserted, namely:—

“(46a) “surplus fund account” means the account maintained by the Registrar;

(46b) “working capital” means funds at the disposal of a society inclusive of paid-up share capital, funds built-up out of profits and money raised by borrowing and/or by other means;”.

3. *Insertion of new section 7A.*— After section 7 of the principal Act, the following section shall be inserted, namely:—

“7A. *Power of the Registrar to decide certain questions.*— Where any question arises at the stage of registration, whether a person resides in the area of operation of a co-operative society or not, or whether a co-operative society is of same type as another co-operative society or of different type, such question shall be decided by the Registrar whose decision shall be final.”.

4. *Insertion of new section 10A.*— After section 10 of the principal Act, the following section shall be inserted, namely:—

“10A. Bye-laws of Co-operative Society.—

(1) Every Co-operative Society may make its bye-laws in accordance with the provisions of this Act and the rules made thereunder.

(2) In particular and without prejudice to the generality of the foregoing provision, such bye-laws may provide for all or any of the following matters, namely:—

(a) the name, address and area of operation of the society;

(b) the objects of the society;

(c) the services to be provided to its members;

(d) the eligibility for obtaining membership;

(e) the procedure for obtaining membership;

(f) the conditions for continuing as member;

(g) the procedure for withdrawal of membership;

(h) the transfer of membership;

(i) the procedure for expulsion from membership;

(j) the rights and duties of the members;

(k) the nature and amount of capital of the society;

(l) the manner in which the maximum capital to which a single member can subscribe;

(m) the sources from which the funds may be raised by a society;

(n) the purpose for which the funds may be applied;

(o) the manner of allocation or disbursement of net profits/surplus of society;

(p) the constitution of various reserves;

(q) the manner of convening general meetings and quorum thereof;

(r) the procedure for notice and manner of voting in general body meeting and other meetings;

(s) the procedure for amending the bye-laws;

(t) the number of elected members of the board not exceeding twenty-one;

(u) the term of office of elected members of a board not exceeding five years;

(v) the qualification and disqualification for member of board of the society;

(w) the procedure for removal of members of the board and for filling of vacancies;

(x) the manner of convening board meetings, its quorum, number of such meetings in a year and venue of such meetings;

(y) the frequency of board meetings;

(z) the powers and functions of the Chief Executive;

(za) the manner of imposing the penalty;

(zb) the appointment, rights and duties of internal auditors and procedure for conducting audit;

(zc) the authorisation of officers to sign documents, operate bank accounts and to institute and defend suits and other legal proceedings on behalf of the society;

(zd) the terms on which a co-operative society may deal with persons other than members;

(ze) the terms on which a co-operative society may associate with other co-operative society;

(zf) the terms on which a co-operative society may deal with organizations other than co-operative societies;

(zg) the procedure and manner for transmission of shares and interest in the name of a nominee in case of death of a member;

(zh) the educational and training programme to be conducted by the co-operative society;

(zi) the principal place and other places of business of the co-operative society;

(zj) the minimum level of services to be used by its members;

(zk) any other matter which may be specified by the Registrar from time to time.”.

5. *Amendment of section 11.*— In section 11 of the principal Act, in sub-section (1), for the expression “alongwith the prescribed fee”, the expression “alongwith the prescribed fee, within a period of forty-five days from the date of such meeting” shall be substituted.

6. *Amendment of section 21.*— In section 21 of the principal Act, in sub-section (2),—

(i) in clause (a), the expression “who is a citizen of India and” shall be omitted.

(ii) in clause (b), for the word “firm”, the expression “firm, limited liability partnership” shall be substituted.

7. *Amendment of section 23.*— In section 23 of the principal Act, in sub-section (5), the following proviso shall be inserted, namely:—

“Provided that, the joint member shall not be eligible for being chosen as a director.”.

8. *Insertion of new section 23A.*— After section 23 of the principal Act, the following section shall be inserted, namely:—

“23A. *Nominal member.*— (1) Notwithstanding anything contained in section 21, a society may admit any person as nominal member on payment of entrance fee as specified in the bye-laws.

(2) A nominal member shall not be entitled to any share, in any form whatsoever, in the profits or assets of the society and shall ordinarily not have any of the privileges and rights of a member.”.

9. *Amendment of section 51.*— In section 51 of the principal Act,—

(i) for the heading thereof, the following heading shall be substituted, namely:— “Restrictions on loans”;

(ii) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The total amount of deposits received and/or loans raised during any financial year shall not exceed ten times of the sum of paid-up share capital, reserve fund, building fund and accumulated profit less accumulated loss, if any, of the society:

Provided that, with prior written approval of the Registrar, the society may specify the limit of borrowings upto twenty-five times of it's paid-up share capital, reserve fund, building fund and accumulated profit less accumulated loss, if any.”.

10. *Amendment of section 52.*— In section 52 of the principal Act,—

(i) the existing provision shall be numbered as sub-section (2) thereof and before sub-section (2) as so numbered, the following sub-section shall be inserted, namely:—

“(1) A society earning profit, shall calculate the net profits by deducting from the gross profits for the financial year, all accrued interest which is overdue for more than six months, establishment charges, interest payable on loan and deposits, audit fees, rebate, discount, bonus or patronage or any other incentive, working expenses including repairs, rent, taxes, depreciation and funds provided for promotion of objectives and after providing for or writing off bad debts and losses not adjusted against any funds created out of profit.”.

(ii) in sub-section (2), as so numbered, in clause (c), for the expressions “Rupees one lakh” and “Goa Rajya Sahakari Sangh”, the expressions “rupees fifty thousand” and “Goa State Co-operative Union” shall be respectively substituted.

11. *Amendment of section 54.*— In section 54 of the principal Act, in sub-section (2), the expression “An annual interest equal to the Bank rate shall be credited to the accounts of such funds annually.” shall be omitted.

12. *Substitution of section 59.*— For section 59 of the principal Act, the following section shall be substituted, namely:—

“59. *Board of directors.*— (1) The management of every society shall vest in a board which shall exercise such powers

and perform such duties as may be conferred or imposed by this Act, rules and bye-laws.

(2) The term of office of elected members of the board and its office bearers shall be five years from the date of election and the term of office bearers shall be coterminous with the term of the board:

Provided that, the board may fill a casual vacancy on the board by nomination out of the same class of members in respect of which the casual vacancy has arisen, if the term of office of the board is less than half of its original term.

(3) The size of the board shall be in accordance with the bye-laws, subject to a maximum of twenty-one directors. The Chief Executive shall be an ex officio director of the board.

(4) There shall be reservation of one seat for Scheduled Castes or the Scheduled Tribes and two seats for women on board of every co-operative society consisting of individuals as members and having members from such class or category of persons.

(5) The society shall make provisions for co-option of persons to be members of the board having experience in the field of banking, management, finance, accounts, audit, human resource or specialization in any other field relating to the objects and activities undertaken by the co-operative society, as members of the board of such society:

Provided that, the number of such co-opted members shall not exceed two in addition to twenty-one directors specified in sub-section (3) of this section as such co-opted directors may or may not be the members of the society and shall not have the right to vote in the affairs and in any election of the co-operative society in their capacity as such member or to be eligible to be elected as office bearers of the board:

Provided further that, the functional directors of a co-operative society shall also be the members of the board and such members shall be excluded for the purpose of counting the total number of directors.

(6) The board shall have a chairman and such other office bearers as may be

provided in the bye-laws who shall be elected from amongst the elected directors/ appointed directors in terms of section 67A of this Act, in the manner provided in the bye-laws:

Provided that, member of the board shall file the return about their loan transactions and their dealings with the society in the form specified by the Registrar from time to time depending upon the type of society:

Provided further that, no person shall be, or shall continue to be, chairman and such other office bearers as may be provided in the bye laws, for a consecutive period of more than ten years and at the expiration of that period any such person shall cease to be chairman and or the office bearer of that society, and shall not be eligible for being re-elected or reappointed as a Chairman or office bearer, until a period of five years has elapsed after expiry of the aforesaid period of ten years:

Provided also that, should the administrator is appointed or the Chairman is removed by no confidence motion within twenty-four months from the date on which the consecutive period of ten years would, but for such appointment or removal, have been completed, the Chairman shall be deemed to have completed the period of ten years on appointment of administrator or removal of Chairman, as the case may be:

Provided also that, no member shall hold the post of office bearer of more than one Apex or Federal society.

(7) The board may constitute sub-committees from among its directors and other office bearers for specific purpose and such committees shall submit their reports with recommendations or observations to the board for action, within the time specified by the board.

(8) Every director and employee of a society while exercising his power and discharging his duties shall,—

(a) act honestly and in good faith and in the best interest of the society; and

(b) exercise such care, diligence and skill as a reasonably prudent person would exercise in similar circumstances.

(9) A director or employee who is guilty of misappropriation, breach of trust or any other omission or commission, resulting in loss to the society shall be personally liable to make good that loss, without prejudice to such criminal action to which he is liable under the law.

(10) The members of the board and/or committee, as the case may be, shall be jointly liable for the decisions taken by the board and/or committee during its term relating to the business of the society. The members of the board and/or committee shall be jointly liable for all the acts and omissions detrimental to the interest of the society:

Provided that, before fixing any responsibility mentioned above, the Registrar shall inspect the records of the society and decide as to whether the losses incurred by the society are on account of acts or omissions on the part of the members of the board or of the committee or on account of any natural calamities, business complications, economic fluctuations, market fundamentals, accident or any circumstances beyond the control of such members:

Provided further that any member of the board or member of the committee who does not agree with any of the resolution or decision of the board or of the committee, as the case may be, may express his dissenting opinion which shall be recorded in the proceedings of the meeting and such member shall not be held responsible for the decision embodied in such resolution/decision and/or for any act or omission committed by the board or the committee as per such resolution/decision. Such dissenting member if he so desires may also communicate in writing his dissenting opinion to the Registrar within seven days from the date of such resolution/decision:

Provided also that any member who is not present for the meeting of the board or committee in which the business of the society was transacted, and who has not subsequently confirmed the proceedings of

that meeting, such member shall also not be held responsible for any of the business transacted in such meeting.

(11) If the Auditor, Enquiry Officer or Inspecting Officer during the course of audit or enquiry or inspection has found certain discrepancies in the working of the society which are irregular, illegal in nature and detrimental to the interest of the society, the Registrar may take the cognizance of such irregularities or illegalities and after giving due opportunity to the Directors concerned of being heard, may disqualify him to continue on the board.”.

13. *Amendment of section 59A.*— In section 59A of the principal Act, in sub-section (1), the words “or Director”, wherever they occur, shall be omitted.

14. *Amendment of section 60.*— In section 60 of the principal Act, in sub-section (3),—

(i) for clause (b), the following clause shall be substituted, namely:—

“(b) shall have attended three annual general meetings of the society during the period of five years preceding the election;”;

(ii) after clause (b), the following clause shall be inserted, namely:—

“(c) shall have availed for three years in the preceding period of five years the service of a society to a minimum level as specified in the bye-laws.”.

15. *Amendment of section 61.*— In section 61 of the principal Act,—

(i) in clause (a), for the words “nine months”, the words “six months” shall be substituted;

(ii) after clause (c), the following clause shall be inserted, namely:—

“(d) they willfully allow any of the disqualified director to continue on the board.”.

16. *Amendment of section 62.*— In section 62 of the principal Act, in sub-section (2), for the expression “elected members”, the

expression “elected members/directors appointed under section 67A of the Act” shall be substituted.

17. *Amendment of section 66.*— In section 66 of the principal Act,—

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) The election of a board shall be conducted before the expiry of the term of the board so as to ensure that the newly elected members of the board assume office immediately on the expiry of the office of members of the outgoing board.”;

(ii) for sub-section (5), the following sub-section shall be substituted, namely:—

(5) The elections to the board and office bearers of all the societies, shall be conducted by the Registrar or by such authority or body as may be authorized by the Government by a notification in the Official Gazette and in such manner, as may be prescribed.”;

(iii) after sub-section (5), the following sub-section shall be inserted, namely:—

“(6) The election of the office bearers shall be conducted by the authorized person/authority/body within thirty days from the date of declaration of the result of the election to the board.”.

18. *Amendment of section 67.*— In section 67 of the principal Act, for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) Any member of the board may resign his office by writing under his hand addressed to the Chairman and the Chairman may resign his office by writing under his hand addressed to the Chief Executive Officer who shall place the same in meeting of the board for consideration and acceptance. In the event of resignation of office bearer and acceptance of the same, the election of new office bearer shall be done in accordance with the provisions of

bye-laws of the society. In the event where the resignation is from majority of the members on the board including the Chairman, or otherwise such resignations shall be handed over to the Chief Executive Officer who shall forward the same to the Registrar. The Registrar, after receiving the resignations of the majority of the members of the board shall assess the situation and decide the course of action in accordance with the provisions of the Act.”.

19. *Amendment of section 67A.*— In section 67A of the principal Act, after clause (e), the following clauses shall be inserted, namely:—

“(f) any member of board attracts disqualification under the Act;

(g) majority of the members of the board resigns.”.

20. *Substitution of section 69.*— For section 69 of the principal Act, the following section shall be substituted, namely:—

“69. *Directions by the Registrar for successful conduct of business.*— The Registrar may, from time to time, issue such directions or directives to a co-operative society or a class of co-operative societies as he considers necessary for successful conduct of business and on all matters incidental thereto and such directions or directives shall be binding on them.”.

21. *Substitution of section 71.*— For section 71 of the principal Act, the following section shall be substituted, namely:—

“71. *Supersession and suspension of board and interim management.*— (1) Notwithstanding anything contained in any law for the time being in force, no board shall be superseded or kept under suspension for a period exceeding six months:

Provided that, the board may be superseded or kept under suspension in case,—

(a) of its persistent default; or

(b) of its negligence in the performance of duties; or

(c) the board has committed any act prejudicial to the interests of the co-operative society or its members; or

(d) there is stalemate in the constitution or functioning of the board; or

(e) the Registrar or authority or body as referred to in sub-section (5) of section 66 of the Act failed to conduct elections in accordance with this Act:

Provided further that the board of any such society shall not be superseded or kept under suspension where there is no Government shareholding or loan or financial assistance or any guarantee by the Government:

Provided further that in case of a co-operative society carrying on the business of banking, the provisions of the Banking Regulation Act, 1949 (Central Act 10 of 1949) shall also apply:

Provided also that in case of a co-operative society, other than a multi-State Co-operative society, carrying on the business of banking, the provisions of this section shall have the effect as if for the words "six months", the words "one year" had been substituted.

(2) Before making such order the Registrar shall give an opportunity to the board of being heard in the matter, within fifteen days, from the date of issue of notice and by order supersede the board and appoint one or more administrator, who may or may not be the member of the society, to manage the affairs of the society for the period specified in sub-section (1).

(3) In case of supersession of board, the administrator appointed to manage the affairs of such society shall arrange for conduct of elections within the period specified in sub-section (1) and handover the management to the elected board.

(4) The administrator so appointed shall have power to execute all or any of the functions of the board and to take all such actions as may be required in the interest of the society except admission of members.

(5) The Registrar may fix the remuneration payable to the administrator which shall be paid from the funds of the society."

22. *Amendment of section 72.*— In section 72 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) Every society shall hold the annual general body meeting of its members within six months from the close of the co-operative year. At every annual general meeting of a society, the board shall lay before the society an audited balance sheet and profit and loss account for the year in the manner specified by the Registrar by general or special order in this behalf.

Explanation:— In the case of a society not carrying on business for profit, an income and expenditure account shall be placed before the society at the annual general meeting instead of profit and loss account; and all the references to "profit and loss account", "profit" and "loss" in this Act, shall be construed in relation to such society as references, respectively, to the "income and expenditure account", "income over expenditure" and "excess of expenditure over income.";

(ii) in sub-section (3), the expression "or one-tenth of the representatives of a representative general body of the society constituted under section 69 of the Act" shall be omitted;

(iii) sub-section (6) shall be omitted.

23. *Amendment of section 73.*— In section 73 of the principal Act, for sub-section (4), the following sub-section shall be substituted, namely:—

"(4) Every society within forty-five days of the close of the financial year, shall prepare the Receipt and Payment statements/Trial Balance, Trading/Manufacturing Accounts, Profit and Loss Account/Income and Expenditure Account and Balance Sheet and within fifteen days from such preparation submit a copy thereof to the Registrar and the auditor."

24. *Substitution of section 74.*— For section 74 of the principal Act, the following section shall be substituted, namely:—

“74. *Audit.*— (1) Every society shall maintain accounts and records as provided under section 73 and such accounts shall be audited at least once in each financial year.

(2) The Registrar shall, with prior approval of the Government, constitute a panel of auditors from among the departmental auditors, chartered accountants within the meaning of the Chartered Accountants Act, 1949 (Central Act 38 of 1949) and who are members of the Institute of Chartered Accountants of India, holding certificate of practice and having their registered address within the State of Goa, and certified auditors from amongst the retired officers of the Government, who are holding diploma in co-operation of a institute of repute or having working experience of at least ten years in co-operative Audit.

(3) Every society shall cause to be audited by an auditor referred in sub-section (2), appointed by the general body of the society:

Provided that, no society shall appoint same auditor consecutively for more than two years.

(4) The accounts of every society shall be audited within six months of the close of the financial year to which such accounts relate.

(5) The remuneration of all auditors from the panel of auditors and audit fees for those societies audited by the departmental auditors shall be fixed by the Registrar.

(6) The auditor shall be given notice of every general meeting and he shall be entitled to attend the meeting.

(7) The audit report of the accounts of an apex society shall be laid before the State Legislature in such manner as may be prescribed.

(8) If the Registrar finds it necessary or expedient to re-audit any or all accounts of the society, he may, by order, direct such

re-audit and the provisions of this Act, applicable to audit of accounts of society, shall apply to such re-audit.”.

25. *Amendment of section 75.*— In section 75 of the principal Act, after sub-section (6), the following sub-sections shall be inserted, namely:—

“(7) The Auditor shall discuss his findings during the course of audit with the board and issue certificate to the effect that he has duly notified his findings/observations to the board of the society.

(8) The Auditors shall be responsible for willful omission or failure to report to the Registrar, of mismanagement, misappropriation of societies funds or violation of any provision of the Act.”.

26. *Substitution of section 81.*— For section 81 of the principal Act, the following section shall be substituted, namely:—

“81. *Filing of returns.*— Every co-operative society shall file returns, within six months of the close of every co-operative year, to the Registrar, including the following matters, namely:—

(a) annual report of it's activities;

(b) it's audited statement of accounts;

(c) it's audit rectification report, if any;

(d) plan for surplus disposal as approved by the general body of the co-operative society;

(e) list of amendments to the bye-laws of the co-operative society, if any;

(f) declaration regarding date of holding of it's general body meeting alongwith notice, proceedings and number of members who attended such meetings;

(g) declaration regarding date of conduct of elections when due;

(h) names and addresses of the directors and their term of office;

(i) any other information required by the Registrar in pursuance of any of the provisions of this Act.”.

27. *Amendment of Section 83.*— In section 83 of the Principal Act, existing sub-section (1), (2) and (3) shall be re-numbered as sub-section (2), (3) and (4) respectively, and before sub-section (2) as so numbered, the following sub-section shall be inserted, namely:—

“(1) Notwithstanding anything contained in any other law for the time being in force, any dispute touching the election to the Board of Directors of society and representative General Bodies specified in section 69 shall be referred by any of the parties to the dispute, to the Co-operative Tribunal within a period of 30 days from the date of declaration of the result of the election:

Provided that, the Co-operative Tribunal may entertain such dispute after expiry of such period if the party aggrieved satisfies the Co-operative Tribunal that he had sufficient cause for not referring the dispute within aforesaid period.”.

28. *Amendment of section 85.*— In section 85 of the principal Act, in sub-section (1), in clause (d), for the expressions “election of an office bearer” and “one month”, the expressions “election of the board and office bearers” and “sixty days” shall be respectively substituted.

29. *Amendment of section 91D.*— In section 91D of the principal Act, in sub-section (1), in clause (b), after the expression “a decision, award”, the expression “or certificate granted under section 91C” shall be inserted.

30. *Amendment of section 102.*— In section 102 of the principal Act, after clause (m), the following clause shall be inserted, namely:—

“(ma) “other co-operative housing society” means a co-operative housing society other than defined under clauses (e), (f), (g), (h) and (i) of this section;”.

31. *Amendment of section 110.*— In section 110 of the principal Act,—

(i) in sub-section (2), for the expression “maintenance of the building”, the

expression “maintenance of the building, common facilities and amenities’ shall be substituted;

(ii) in sub-section (3), for the expression “apex housing finance society of the State”, the expression “apex housing finance society of the State or as per the provisions contained under section 55 of this Act” shall be substituted.

32. *Insertion of new section 114A.*— After section 114 of the principal Act, the following section shall be inserted, namely:—

“114A. *Appeals.*— (1) An appeal against an order or decision under section 10, 15, 16, 19, 20, 22(3), 25, 26, 59A, 66, 67A, 71, 88 and 92 shall lie to the Co-operative Tribunal.

(2) An appeal under this section shall be filed within 60 days of the date of the order or decision.

(3) Save as provided in this Act, no appeal shall lie against any order, decision or award passed in accordance with this Act, and every such order, decision or award shall be final, and where any order is passed on appeal, the same shall be final and no further appeal shall lie against it.”.

33. *Amendment of section 118.*— In section 118 of the principal Act, for clauses (b) to (f), the following clauses shall be respectively substituted, namely:—

“(b) Any co-operative society or any officer or member thereof, willfully makes a false return or furnishes false information or willfully or without any reasonable excuse disobeys any summons, requisition or lawful written order issued under the provisions of this Act, or willfully does not furnish the information required from it or him under the provisions of this Act;

(c) Any employer, without sufficient cause, fails to pay to a society the amount deducted by him under section 45 within a period of fourteen days from the date on which such deduction is made;

(d) Any officer or person having custody of the records, cash, etc., of any co-

-operative society willfully fails to handover the custody of books, accounts, documents, records, cash, security and other property belonging to a co-operative society to a person authorised to have a custody of the same under this Act;

(e) Any person who acts in contravention of the provisions of this Act and whoever, before, during or after the election of members of the board or office bearers, adopts any corrupt practice;

(f) The board or any officer or employee of a co-operative society falsify or tamper with the records of the co-operative society;

(g) Any officer or employee of a co-operative society who dishonestly or fraudulently misappropriates, misuses or otherwise converts for his own use or intentionally causes loss to, the property of a society entrusted to him or under his control as such officer or employee or allows another person to do so.”.

34. *Amendment of section 119.*— In section 119 of the principal Act,—

(i) for the figures “100/-”, the figures “500/-” shall be substituted;

(ii) the following expression shall be added at the end, namely:—

“The penalty so imposed shall be paid by the offender within thirty days from the date of passing of the order. On conviction, a member of a society shall be debarred from contesting election of a board for a period of six years.”.

35. *Amendment of section 123A.*— In section 123A of the principal Act, in sub-section (1), after the expression “the new chairman of the Board of Directors”, the expression “immediately after assuming office by him” shall be inserted.

36. *Insertion of new section 123B.*— After section 123A of the principal Act, the following section shall be inserted, namely:—

“123B. *Power to delegate.*— (1) The Registrar may, by notification in the Official Gazette and subject to such conditions as he may deem fit, delegate any of his powers under this Act to any institution or to any officer thereof, and such institution or officer shall work under the general guidance, superintendence and control of the Registrar as specified in the notification.

(2) The Government may, by notification in the Official Gazette and subject to such conditions as it may think fit to impose, appoint a retired officer not below the rank of Assistant Registrar of Co-operative Societies having working experience of at least five years, to decide the disputes as specified under section 83 of this Act and to exercise such powers as specified in the notification. The Officer so appointed shall work under the general guidance, supervision and control of the Registrar.”.

Statement of Objects and Reasons

The Goa Co-operative Societies (Amendment) Bill, 2013 seeks to amend the Goa Co-operative Societies Act, 2001 (Goa Act 36 of 2001) so as to bring it in conformity with the provisions contained in the Constitution (Ninety Seventh Amendment) Act, 2011.

This Bill seeks to achieve the above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated Legislation

Clause 1 (2) of the Bill empowers the Government to issue notification for appointing the date to bring into force the Act.

Clause 4 of the Bill empowers the Government to frame the rules specifying the manner in which the Byelaws of the co-operative societies are to be proposed in consonance with provisions of the Act.

Clause 17 of the Bill empowers the Government to frame the rules specifying the manner in which the elections to the board and office bearers of the society to be conducted.

Clause 24 of the Bill empowers the Government to frame the rules specifying the manner in which the audit report of the accounts of apex society shall be laid before the State Legislature.

These delegations are of normal character.

Porvorim-Goa. PANDURANG ALIAS
11th October, 2013. DEEPAKM.DHAVALIKAR
Minister for Co-operation

Assembly Hall, N. B. SUBHEDAR
Porvorim-Goa. Secretary to the Legislative
11th October, 2013. Assembly of Goa

ANNEXURE

Extract of the Goa Co-operative Societies Act, 2001
(Goa Act 36 of 2001)

2(5A) New insertion.

2(6) "board of directors" means the governing body or the committee of management of a society, by whatever name called, in which the management of the affairs of a society is vested.

2(9a) New insertion.

2(9b) New Insertion.

2(16) "co-operative authority" means the authority constituted under section 84 of this Act to decide disputes referred to it under any of the provisions of this Act;

2(19a) New insertion.

2(20a) New insertion.

2 (26a) New insertion.

2(29) "multi State society" means a co-operative society which is registered or deemed to be registered under the Multi State Co-operative Societies Act, 2002 (Central Act 39 of 2002).

2 (30b) New insertion.

2(31) "officer" means a person elected or appointed to any office of a society according to its bye-laws; and includes a chairman, vice-chairman, president, vice-president, secretary, treasurer, member of the board of directors, managing director, chief executive, manager and any other person elected or appointed under this Act, the rules or the bye-laws, to give directions in regard to the business of such society.

2(38a) New insertion.

2(41a) New insertion.

2(41b) New insertion.

2(42a) New insertion.

2(45a) New insertion.

2(46a) New insertion.

2(46b) New insertion.

7A. New insertion.

10A. New insertion.

11(1) No amendment of the bye-laws of a society shall be valid until registered under this Act. For the purpose of registration of an amendment of the bye-laws, a copy of the amendment passed by a majority of not less than two third of the members entitled to vote who are present at a general meeting of the society shall be forwarded to the Registrar alongwith the prescribed fee.

21(2)(a) an individual, who is a citizen of India and who is competent to contract under the Contract Act, 1872 (9 of 1872).

21(2)(b). a firm, company or any other body corporate constituted under any law for the time being in force, or a society registered under the Societies Registration Act, 1860 (XXI of 1860).

23(5) New insertion.

23A New insertion.

51. Restrictions on borrowings.

51(2) The deposits or loans raised from external sources shall at no time exceed ten times the sum of members' funds and organisational reserves less accumulated deficit, if any:

Provided that in case of Co-operative Housing Societies, the borrowings shall not exceed twenty times and in case of Co-operative Banks twenty-five times the sum of members' funds and organisational reserves less accumulated deficit, if any.

52(1) New insertion.

52(2)(c) Not less than 2% with a maximum limit of Rupees one lakh towards contribution to the Co-operative Education Fund which shall be transferred to the Goa Rajya Sahakari Sangh;

54(2) Reserves and other funds shall be used for the purpose for which they were created when necessary but otherwise may be used in the business of the society. An annual interest equal to the Bank rate shall be credited to the accounts of such funds annually.

59. *Board of directors.*— (1) The management of every society shall vest in a board of directors constituted in accordance with this Act, the rules and bye-laws, which shall exercise such powers and perform such duties as may be conferred or imposed by this Act, the rules and the bye-laws.

(2) The term of office of the board of directors elected after the commencement of the Goa Co-operative Societies Act, 2001 shall be five years from the date of its election:

Provided that where in terms of the provisions of the bye-laws of a society one-third members of its committee or board of directors retire every year, the term of office of such a committee or board shall, after the commencement of the Goa Co-operative Societies Act, 2001 expire on the date on which retirement of any of its one-third members falls for the first time.

(3) The size of the board of directors shall be in accordance with the bye-laws, subject to a maximum of 15 directors. The chief executive shall be an ex officio director of the board.

(4) The board shall have a Chairman and such other office bearers as may be provided in the bye-laws who shall be elected from among the directors in the manner provided in the bye-laws:

Provided that no director who is representing individual members on the board of directors of an Apex or Federal Society shall be a Chairman or other officer of such society.

(5) The board of directors may set up committees from among its directors and others for specific purposes and such committees shall submit their reports with recommendations or observations to the board for action, within the time specified by the board.

(6) Every director and employee of a society while exercising his powers and discharging his duties shall,—

(a) act honestly and in good faith and in the best interests of the society; and

(b) exercise such due care, diligence and skill as a reasonably prudent person would exercise in similar circumstances.

(6A) The members of the committee set up of Directors or the Board of Directors, as the case may be, shall be jointly and severally responsible for the decisions taken by them during their term, relating to the business of the society. They shall be jointly and severally responsible for all the acts and omissions which are detrimental to the interest of the society. Every such member or Director, shall execute a bond to that effect, within fifteen days of his assuming the office, in the form as specified by the Government by general or special order. The member or Director who fails to execute such bond within specified period shall be deemed to have vacated his office:

Provided that before fixing any responsibility mentioned above, the Registrar shall inspect the records of the society and decide as to whether the losses incurred by the society are on account of acts or omissions on the part of the members of the committee or of directors or on account of any natural calamity, accident or any circumstances beyond the control of such members or director:

Provided further that any member of the committee or director of board of directors who does not agree with any of the resolution or decision of the committee or of Board of Directors, may express his dissenting opinion which shall be recorded in the proceedings of the meeting and such member or director shall not be held responsible for the decision embodied in such resolution/decision and/or for such acts or omissions committed by the committee or board of directors as per such resolution/decision. Such dissenting member or director, if he so desires may also communicate in writing his dissenting opinion to the Registrar within seven days from the date of such resolution/decision:

Provided also that any member or director who is not present for the meeting of the committee or board of directors in which the business of the society was transacted, and who has not subsequently confirmed the proceedings of that meeting, such member or director shall also not be held responsible for any of the business transacted in such meeting.

(7) A director or employee who is guilty of misappropriation, breach of trust or any other omission or commission, resulting in loss to the society as a result thereof, shall be personally liable to make good that loss, without prejudice to such criminal action to which he is liable under the law.

59A. *Motion of no confidence against officers of societies.*— (1) A President, Vice-President, Chairman, Vice-Chairman, Secretary, Treasurer or Director or any other officer, by whatever designation called, who holds office by virtue of his election to that office shall cease to be such President, Vice-President, Chairman, Vice-Chairman, Secretary, Treasurer or director or any other officer, as the case may be, if a motion of no confidence is passed at a special meeting of the board of directors/committee of management of society by a simple majority of the total number of the members of board of directors/committee who are for the time being entitled to attend and vote at any meeting of the board of directors/committee and the office of such President, Vice-President, Chairman, Vice-Chairman, Secretary, Treasurer or Director or any other officer, as the case may be, shall thereupon be deemed to be vacant.

60(3)(b) Shall have attended two general meetings of the society held immediately preceding the elections.

60(3)(c) New insertion.

61(a) They did not conduct the annual general meeting within nine months of closure of the society's accounting year.

61(d) New insertion.

62(2) The chairperson shall be elected by the board from among the elected members and shall, in accordance with the bye-laws—

(a) preside at meetings of the board and the general body;

(b) have only a casting vote in the event of equality of votes on any matters being decided upon by the board;

(c) exercise such other powers as may be delegated by the board and specified in the policies framed or resolutions adopted by the board.

66(1) The elections to the board of directors of all the societies and representative general bodies under section 69(d) and (e) of this Act, except those mentioned in sub-section (5) of this section, shall be conducted by the Registrar in such manner as may be prescribed.

66(5) Societies having paid up share capital of less than rupees twenty-five lakhs may hold their election in accordance with their bye-laws and election rules:

Provided that the Registrar may conduct the election of any such society in accordance with the

provisions of sub-section (1) to (4) of this section if he is satisfied that circumstances exist for such election. No such election shall however, be held by the Registrar after the election programme is commenced by the society in accordance with its bye-laws and election rules.

66(6) New insertion.

67(4) The Government may, by general or special order direct such societies or class of societies to reserve not more than two seats, one each for the members of scheduled castes or scheduled tribes or woman or any other economically backward classes on the board of directors of such societies.

67A (f) & (g) New insertion.

69. *Representative general body.*— A society having more than five thousand individual members shall have a representative general body constituted in the following manner:—

(a) Election of the representative general body of the societies having more than five thousand individual members shall be held by the Registrar in the prescribed manner.

(b) The members of the society shall be divided in different groups on territorial or any other basis as may be specified in the bye-laws for the purpose of electing a representative to represent the said group of members at general meetings of the society and to vote on their behalf at such general meetings. The elected representatives shall also be entitled to vote at the election of the board of directors of such societies on behalf of the group they represent.

(c) The representative group shall be formed in such a manner that the number of representatives elected shall not be less than fifty and shall not be more than five hundred depending upon the total membership of the society.

(d) The election of representatives to the representative general body shall be held six months prior to the election of the board of directors of the concerned society and such elected representative shall be elected for a term of five years and shall be eligible for re-election, if not otherwise disqualified under the provisions of this Act, rules and bye-laws.

(e) Any vacancy arising in the post of representative shall be filled by re-election by the concerned group of members within a period of six months. Such re-election shall be held by the Registrar in the same manner.

71. *Removal of directors and appointment of Administrator.*— (1) (a) If the Board of Directors of any society makes default or is negligent in the performance of the duties imposed on it by this Act or the rules or the bye-laws or commits any act which is prejudicial to the interest of the society or has ceased to discharge its functions and the business of the society has or is likely to come to a standstill, or have incurred disqualification under section 61 of this Act, or serious financial irregularities have been disclosed by the auditor during inspection, the Registrar may, *suo-motu* or at the request of hundred members or 10% of the total number of members of the society, whichever is less, by an Order, remove the Board of Directors and appoint an Administrator or a Board of Administrators consisting of not more than three persons, who may or may not be the members of the society to manage the affairs of the society for a period not exceeding six months, which period, at the discretion of the Registrar, may be extended by a further period not exceeding three months so however that the total period shall not exceed nine months in the aggregate subject to the provisions of sub-section (6)".

(b) Where any director on the board of directors of a society commits the acts mentioned in clause (a) above, the Registrar, at the request of hundred members or 10% of the total number of members, whichever is less, or by resolution passed with a two-third majority of the board of directors of the society, shall remove such director from the board.

(c) In the case of a society having Government share capital exceeding 50% of the total paid up share capital of the society, the Registrar shall have the power, in cases mentioned under clauses (a) and (b) above, to act *suo-motu* and appoint a board of administrators as mentioned in clause (a) above for a period of one year, which period, at the discretion of the Registrar, may be extended for a further period not exceeding one year, or to remove the director or directors in cases under clause (b):

Provided that no order shall be passed by the Registrar under clauses (a) and (b) above without giving an opportunity to the board of directors or director, as the case may be, to file objection, if any, within 15 days from the receipt of notice from the Registrar.

(2) The Registrar shall have the power to change the board of administrators or any members thereof appointed under sub-section 1(a) or 1(c) at his discretion even before the expiry of the period specified in the order under sub-section 1(a) or 1(c).

(3) The board of administrators so appointed shall have power to execute all or any of the functions of the board and to take all such actions as may be required in the interest of the society except admission of members.

(4) The Registrar may fix the remuneration payable to the members of the board of administrators which shall be paid from the funds of the society.

(5) If, at any time, during any period, or extended period referred to in sub-section (1), it appears to the Registrar, that it is no longer necessary to continue to carry on the affairs of the society as aforesaid, the Registrar may, by an order, direct that the management by the board of administrators shall terminate and on such order being made, the management of the society shall be handed over to a new board of directors duly constituted under the bye-laws.

(6) The board of administrators shall, before the expiry of its term of office, arrange for the constitution of a new board of directors in accordance with the bye-laws of the society:

Provided that, if a new board of directors is not, or cannot be, constituted at the expiry of the term of office of the board of administrators, for any reason beyond the control of the board of administrators, the term of the board of administrators shall be deemed to be extended until the new board of directors is duly constituted under the bye-laws.

72(2) Every society shall in each co-operative year hold, in addition to any other meetings or general meetings, its annual general meeting within nine months from the close of the co-operative year and not more than fifteen months shall elapse between the date of an annual general meeting and that of the next.

72(3) The board shall convene a general meeting within thirty days of receipt of requisition for convening a general meeting signed by at least one-tenth of the members of the society or one-tenth of the representatives of a representative general body of the society constituted under section 69 of the Act and any such requisition shall contain the proposed agenda and the reasons why the meeting is felt necessary.

72(6) Such minutes shall be communicated to all persons invited for the meeting within forty -five days of the conclusion of the meeting.

73(4) Every society, immediately after close of the financial year, shall prepare the Receipt and Payment Statements/Trial Balance/Trading/Manufacturing Accounts, Profit and Loss Account/Income and Expenditure Account and Balance Sheet and shall submit the same to the Registrar, within a period of 45 days prior to filing the returns as specified under section 81.

74. *Audit.*— (1) The Registrar shall constitute a panel of auditors from among the chartered accountants within the meaning of the Chartered Accountants Act, 1949 (XXXVIII of 1949) and who are fellow members of the Institute of Chartered Accountants of India, holding certificate of practice, who have their registered address within the State of Goa, and retired officers of the Government, who are holding higher Diploma in Co-operation or having working experience of ten years in Co-operative Audit.

(2) The Registrar shall appoint auditors to audit the accounts of State aided societies, and other societies with paid up capital exceeding Rupees one lakh as may be notified by the Registrar from time to time, from among the departmental auditors or the panel of auditors:

Provided that any society which is not notified under sub-section (2) may request in writing to the Registrar that its audit shall be conducted by the departmental auditors and the Registrar may allow to do so for such period as may be requested by the society.

Explanation:— For the purpose of this sub-section any society or class of societies irrespective of share capital limit which are either been assisted by the Government in the form of subsidy, loan, trade and commercial concession, price support and/or offered any type of incentives, relaxation, considering the social, circumstantial aspects and in the interest of particular occupation, community or public interest at large, and involving the deposit of the public, the Registrar shall decide over the nature as to whether such society is to be notified or otherwise and accordingly the audit of such society or class of societies shall be entrusted to the departmental auditors or the panel of auditors, by general or special order. The decision of the Registrar in this matter shall be final.

(3) A mutually aided society which is not notified under sub-section (2) above shall appoint an auditor from among the panel of auditors by resolution in the annual general meeting and such appointment shall be valid till the conclusion of next annual general meeting:

Provided that the first auditor shall be appointed from among the said panel by the board of directors in the first meeting held after the registration of the society and such appointment shall be valid till the conclusion of the first annual general meeting.

(4) The remuneration of all auditors shall be fixed by the Registrar.

(5) The auditor shall be given notice of every general meeting and will be entitled to attend the meeting.

(6) Where a mutually aided society fails to get its accounts audited within nine months from the end of the co-operative year, the Registrar shall be empowered to appoint the auditor and get the accounts audited.

(7) If the Registrar finds it necessary or expedient to re-audit any or all accounts of the society, he may, by Order, direct such re-audit and the provisions of this Act, applicable to audit of accounts of society, shall apply to such re-audit.

75(7) & (8) New insertion.

81. *Filing of returns.*— Every year, within thirty days from the date of holding of the annual general meeting, every society shall file the following documents with the Registrar alongwith the filing fees as may be prescribed:—

(a) Annual audited or unaudited statement of accounts;

(b) Report of the board of directors;

(c) Auditors report;

(d) Audit rectification report, if any;

(e) Notice convening the annual general meeting;

(f) Name and address of the directors and their terms of office;

(g) List of amendment to the bye-laws, if any;

(h) Declaration regarding the date of holding of the general meeting and number of members who attended such meetings.

83(1) New insertion

85(1)(d) When the dispute is in respect of an election of an office-bearer of the society, be one month from the date of the declaration of the result of the election.

91D(1)(b) Any amount due under a decision, award or order of the Registrar, arbitrator or Liquidator or Tribunal.

102(ma) New insertion.

110(2) The building maintenance fund shall be utilised only for the purposes of repairs and maintenance of the building and for carrying out such structural additions and alterations to the building which are likely to increase its life.

110(3) The building maintenance fund of the co-operative housing society, when not required by it for its immediate use, shall ordinarily be invested with the apex housing finance society of the State.

114A. New insertion.

118 (b) Willful neglect or refusal to do any act required to be done under this Act, or any rule, by any officer of any societies or of a co-operative society as mentioned in section 123.

(c) Willfully making a false return or furnishing false information or failing to file the documents with the Registrar specified in section 81 of the Act.

(d) Failure to hand over the records of the Society to the person authorised to have the custody of the records.

(e) Indulging in fraudulent activities concerning the constitution, management and business of the Society.

(f) Misuse of the funds and property of the Society by any officer or employee of the society.

118(g) New insertion.

119. *Penalties.*— A person who commits any of the offences specified in section 118 of the Act shall be liable for a fine not exceeding Rs. 100/-per day for each of the offences committed, so long as the offence continues, without prejudice to the civil or criminal liability that may arise on such person under any other laws for the time being in force.

123(A) Handing over records and property to new Chairman on election.—

(1) On the election of a new Board of Directors and its Chairman, the retiring Chairman in whose place the new Chairman is elected, shall hand over charge of the office and all papers and property, if any, of the society in his possession or any officer thereof, to the new Chairman of the Board of Directors.

123B. New insertion.

Department of Industries

Notification

3/41/2013-IND

Sub.: Revision of fees payable by Large Scale Industries.

Whereas, the Government of Goa with concurrence from the Finance Department vide their U. O. No. 1922(F)2003 dated 23-12-2003 has imposed fees of Rs. 5,000/- and Rs. 10,000/- for the approvals granted by the State's High Powered Co-ordination Committee on Industries (HPCC, in short) for Large Scale Industrial Units with an investment of less than Rs. 25 crores and more than Rs. 25 crores respectively.

And whereas, the Government of Goa deems it expedient to revise the said fees.

Now therefore, the fees are revised as under with effect from 24th December, 2012 till further orders:—

FEE STRUCTURE

Sr. No.	Particulars of Investment by Large Scale Industries/ /Regularization fees/ /Renewal fees	Existing Fees (in Rs.)	Proposed fees (in Rs.)
1.	Investment upto Rs. 25 crores	5,000/-	25,000/-
2.	Investment above Rs. 25 crores upto Rs. 50 crores	10,000/-	50,000/-
3.	Investment more than Rs. 50 crores	-	1 lakh
4.	Regularization fees	5 lakhs	. 5 lakhs

This issues with the concurrence of Finance (Expenditure) Department vide their U. O. No. 1481823 dated 01-10-2013.

By order and in the name of the Governor of Goa.

Meena Priolkar, Under Secretary (Industries).

Porvorim, 10th October, 2013.

Department of Information Technology

Order

12(1)/DOIT/Recruitment Staff/2007/Part file/
/1949

Read: Order Nos. 1. 12(1)DOIT/recruitment/
/2006/1036 dated
12-12-2006.

2. 1(127)/DOIT/Revival of
Post 2009/Part file/
/4510 dated 10-05-2010.

Government hereby abolishes 13 posts of
Network Engineer created and subsequently
revived, vide orders referred above, with
immediate effect.

This has the approval of the Cabinet.

By order and in the name of the
Governor of Goa.

Nilesh B. Fal Dessai, Director & ex officio
Joint Secretary (Home).

Porvorim, 15th October, 2013.

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Department of Mines
Directorate of Mines & Geology

Corrigendum

DMG/MAJ/IST/Rules-2013/2127

Read: Notification No. DMG/MAJ/IST/Rules-
-2013/2104 dated 17-10-2013 published
in Official Gazette (Extraordinary)
Series I No. 29.

In sub-rule 2 of Rule 36 of the Goa
(Prevention of Illegal Mining, Storage and
Transportation of Minerals) Rules, 2013, after
the words 'orders passed under the said
Rules', "shall be deemed to have been done
or any, taken or passed under the [Goa
Minerals (Prevention of Theft, Smuggling &
Other Unlawful Activities) Rules, 1990]" shall
be omitted.

Prasanna A. Acharya, Director/Joint
Secretary (Mines).

Panaji, 18th October, 2013.

Department of Social Welfare

Directorate of Social Welfare

Notification

50-354-2013-14-HC/Part

Government of Goa is pleased to make the
following suitable amendments and re notify
the scheme is hereby published for general
information of public, which shall come into
force with the date of publication in the Official
Gazette.

Dayanand Social Security Scheme, an initiative
under the "Freedom from
Hunger Project".

1. *Objective of the scheme.*— The objective
of the scheme is to provide Financial
Assistance to the most vulnerable sections of
society and include senior citizen, single
women, disabled persons and HIV/AIDS
patient.

2. *Short title, commencement and applica-
bility.*— (1) This scheme shall be called
"Dayanand Social Security Schemes"-
Amended Schemes, 2013.

(2) This scheme shall come into force with
effect from the date of publication of this
Notification in the Official Gazette.

3. *Definition.*— (1) "Beneficiary" means a
person who is entitled for Financial Assistance
under these Rules and includes single
women, disabled persons and Senior Citizens,
besides class of people listed in the objectives
and others notified by Government from time
to time.

(2) "Disability" means—

- (a) Blindness.
- (b) Hearing/Speech impairment.
- (c) Loco motor disability.
- (d) Mental retardation.
- (e) Mental illness.
- (f) Disability due to Neurological problem.
- (g) Autism.

(3) "Person with Disability" means any person suffering from not less than 40% of any disability indicated at sub-rule (2) above and as certified to that effect by the Medical Board.

(4) "Medical Board" means the Medical Board constituted by the Government vide Notification No. 13/140/87-PHD dated 20-07-1988 and such other Medical Board constituted and notified by the Government from time to time.

(5) "Notification" means a notification published in the Official Gazette.

(6) "Director" means the Director of Social Welfare, Panaji-Goa or any other officer discharging the duties of the Director.

(7) "Government" means the Government of Goa.

(8) "Sanctioning Committee" means the committee constituted by the Government for sanctioning financial assistance under this scheme.

(9) "Spouse" means legally married wife/husband of the member.

(10) "Child" means a legitimate or adopted child of the member/spouse, upto the age of 21 years.

(11) "Family" means wife/husband and child/children of the applicant.

(12) "Single Woman" means a woman who is above the age of 18 years and includes a widow, divorcee, deserted or judicially separated women and unmarried women above the age of 50 years.

(13) "Senior Citizen" means any person above the age of 60 years.

(14) "Scheme" means the Dayanand Social Security Scheme.

(15) "Marriage" means marriage by Civil Registration, Hindu Marriage Act, Islamic or any other.

(16) "Mental illness" means any mental disorder other than mental retardation.

4. *Application Procedure.*— The Application for the grant of Financial Assistance under the scheme shall be made in the prescribed form in Appendix—I to the Director of Social Welfare. Each application shall be accompanied by the following documents, namely:—

(i) *Birth Certificate*:— A Certificate issued by the Registrar of Births and Deaths or age as indicated in the School records or any other such valid documents showing the proof of age as notified by the Government;

(ii) *Income Certificate*:— Each applicant shall submit his/her family income certificate issued by competent authority. In case applicant is not in a position to obtain the Income Certificate from the competent authority; then the applicant should submit a Self Declaration on Rs. 50/- stamp paper in (ANNEXURE-A) duly certified and attested before a Gazetted Officer of the State Government;

(iii) *Residence Certificate*: 15 years Residence Certificate issued by Mamlatdar of the concerned Taluka. Alternatively the applicant may submit the certificate in the prescribed form ANNEXURE-B issued by the Gazetted Officer of the State Government certifying that the applicant is resident of Goa for the last 15 years;

(iv) *Medical Certificate*: A Certificate in the prescribed form issued by the Medical Board in case of disabled persons;

(v) *Death Certificate and Marriage Certificate* of spouse in case the applicant is a widow and Decree of Divorce in case the applicant is a divorcee. In case unmarried women above the age of 50 years, the applicant shall submit a self

declaration on Rs. 50/- stamp paper as per the prescribed format form (ANNEXURE-C) and signed by Gazetted Officer of the State Government;

(vi) An attested copy of Ration card;

(vii) An attested copy of Aadhar card of the applicant;

(viii) An attested copy of the Election photo identity card;

(ix) The applicant shall register themselves on payment of Rs. 200/- as registration fee. In case the applicant is unable to pay the registration fee than an amount of Rs. 50/- may be paid along with certificate in ANNEXURE-E issued by MLA/MP.

5. *General Condition.*— (i) *Life Certificate:* Every beneficiary shall submit Life Certificate to the Director of Social Welfare once in a year in the month of April/May in the prescribed format in (ANNEXURE-D) issued by the Manager of the Bank in which the beneficiaries monthly Financial Assistance is deposited or the Life Certificate issued by the Gazetted Officer of the State Government in the prescribed format. In case the Beneficiary fails to submit the Life Certificate then the financial assistance sanctioned to him/her shall be discontinued;

(ii) Each beneficiary shall open single account in a Nationalized Bank or Co-operative Bank;

(iii) In case of divorce and legal separation of a member, both the husband and wife will be treated as individual members, if they are individually eligible.

(iv) Annual family per capita income of the applicant shall be less than the amount of annual financial assistance under the scheme;

(v) After the Death of the beneficiary, other spouse shall be entitled for financial assistance provided that he/she shall apply for transfer of financial assistance in the prescribed format (ANNEXURE-F);

(vi) 50 per cent of the financial assistance drawn by the spouse will be given, to a maximum of two children each, till they reach the age of 21 years in the event of death of the member and the spouse subject to the limit of Rs. 1,000/- per child.

6. *Benefits.*— Senior citizen, Single woman, Adult Disabled and Immune Deficient (HIV/ /AIDS) patients shall be eligible for financial assistance at the rate of Rs. 2,000/- per month under the scheme and Disabled children with disability less than 90% shall be entitled for the financial assistance of Rs. 2,500/- per month and Person with Disabilities having 90% and above disability shall be entitled for the financial assistance of Rs. 3,500/- per month subject to the fulfillment of required documents and general condition, provided that disabled children shall continue to get financial assistance indicated to the extent above even after they attain 21 years.

7. *Medical Assistance.*— Senior citizens covered under Dayanand Social Security scheme, who are having medical problems requiring continuous medication as part of treatment on producing medical certificate from the Chief Medical Officer/Health Officers of the Health Department in the prescribed format as per ANNEXURE-G along with the application for claim of Medical Re-imbursement (ANNEXURE-H) will be eligible for availing the medical assistance of Rs. 500/- per month.

8. *Sanction of Financial Assistance.*— (i) The applications received shall be scrutinized by the Directorate of Social Welfare and the same will be sanctioned by the Sanctioning Committee;

(ii) The Sanctioning Committee shall comprise of the following:—

Chief Minister	— Chairperson
Minister for Social Welfare	— Member
Leader of Opposition	— Member
Director of Social Welfare	— Member

9. *Mode of Payment.*— (i) Financial assistance to the beneficiaries sanctioned by sanctioning authority shall be deposited in the Bank Account of the beneficiary by Director of Social Welfare every month.

10. *Interpretation of Rules.*— (i) The Sanctioning Committee's decision regarding the eligibility of beneficiary/member for the purpose of the scheme shall be final and binding on all the parties concerned.

11. *Stopping/Cancellation of the Financial Assistance.*— Financial Assistance Sanctioned under the scheme shall be Stopped/Cancelled if:—

(i) The beneficiary resorts to professional beginning;

(ii) The beneficiary under the rules is employed and his/her income exceeds the ceiling income prescribed in these Rules;

(iii) At any stage the information furnished by the applicant is found to be incorrect or if the Financial Assistance is obtained by suppression of or misrepresentation of material facts;

(iv) The beneficiary changes his residence to some other State/Country;

(v) The single woman re-marries during the continuity of the scheme.

12. *Supersession and Savings.*— (a) This scheme shall supersede all existing Rules on the scheme notified in the Official Gazette Series I No. 23 dated 2-9-2004;

(b) Notwithstanding such supersession any assistance granted under the earlier scheme shall be deemed to be assistance granted under this scheme.

By order and in the name of Governor of Goa.

Smt. Meena Naik Goltekar, Director & ex officio Joint Secretary (Social Welfare).

Panaji, 10th October, 2013.

APPENDIX— I

GOVERNMENT OF GOA

DIRECTORATE OF SOCIAL WELFARE, PANAJI GOA

Application For Financial Assistance

To,
The Director,
Directorate of Social Welfare,
Panaji-Goa.

PHOTOGRAPH
(to be attested
by MLA or
Gazetted
Officer)

Sub.: Request for Financial Assistance.

Dear Sir,

I, hereby apply for the grant of Financial Assistance under the Scheme DAYANAND SOCIAL SECURITY SCHEME and submit my particulars as under:—

- Specify the Category under which Financial Assistance is applied for:
 - Senior Citizens
 - Single Women
 - Disabled persons

2. Name in full :
(in block letters) (Surname) (Name) (Middle Name)

3. Date of Birth (in figures and in words)
.....

4. Full Postal Address:—
House No.:
Street/Road/Building Name:
Ward Name/No.:
Village/Town/City:
Constituency:
Taluka:
Contact No.:

5. In case applicant belongs to a family, the following details are to be given about the family members:

Sr. No.	Name	Age	Relation-ship with applicant	Occupation	Income per month
1	2	3	4	5	6
1					
2					
3					
4					
5					
6					

6. Total Annual Income of the family from all sources: Rs.
(Family means wife/husband, sons/daughters of the applicant)
7. Whether belongs to SC/ST/OBC/General:
8. Ration Card No.:
9. a) Aadhar card No.:
b) Aadhar card No. of Spouse:.....
10. Election Photo Identity Card No.:
11. Bank Account Details:
Name of the Bank:
Branch:
Saving Bank Account No.:
IFSC code:
MICR code:
12. Whether your Spouse (Husband/Wife) is a beneficiary under Dayanand Social Security Scheme:Yes/No
13. If yes, give details:—
(i) Registration Number:
(ii) Since when financial assistance is received:
14. Whether you or your spouse is a beneficiary under Griha Adhar Scheme/Kala Sanman Scheme: Yes/No
15. If yes, give details:—
(i) Registration Number:
(ii) Since when Financial Assistance is received:
16. Whether you or any other member of your family is receiving financial assistance from any other source: Yes/No
17. If yes, give details—
(i) Name of the Family Member:
(ii) Relation with the Applicant:
(iii) Age:
(iv) The authority/institution from whom assistance is being received
(v) Quantum of assistance: (lumpsum or per month to specify):— Rs. p.m
- (vi) Registration Number/Sanction Order No. and Date:.....
18. Documents to be attached:
A. For Senior Citizens:
i. A copy of Birth Certificate or any other valid document as prescribed by the Government showing age of the applicant.
ii. Income Certificate issued by competent authority or self declaration of income as per prescribed format in Annexure-A.
iii. Residence Certificate issued by Mamlatdar or Residence Certificate as defined in Annexure-B.
iv. An attested copy of Ration card.
v. An attested copy of Aadhar card.
vi. An attested copy of Bank Pass Book copy.
vii. An attested copy of Election Photo Identity card.
B. For Single Women (Strike out whichever is not applicable):
i. A copy of Birth Certificate or any other valid document as prescribed by the Government showing age of the applicant.
ii. Income Certificate issued by competent authority or self declaration of income as per prescribed format in Annexure-A.
iii. Residence Certificate issued by Mamlatdar or Residence Certificate as defined in Annexure-B.
iv. An attested copy of Ration card.
v. An attested copy of Aadhar card.
vi. An attested copy of Bank Pass Book copy.
vii. An attested copy of Election Photo Identity card.
viii. Marriage Certificate.
ix. Death Certificate of spouse.
x. Decree of Divorce/copy of the complaint filed before the appropriate authority.
xi. Declaration in case of Single Unmarried Woman in Annexure-C.
C. For Disabled Persons:
i. A copy of Birth Certificate or any other valid document as prescribed by the Government showing age of the applicant.

- ii. Income Certificate issued by competent authority or self declaration of income as per prescribed format in Annexure-A.
- iii. Residence Certificate issued by Mamlatdar or Residence Certificate as defined in Annexure-B.
- iv. An attested copy of Ration card.
- v. An attested copy of Aadhar card.
- vi. An attested copy of Bank Pass Book copy.
- vii. An attested copy of Election Photo Identity card.
- viii. Disability Certificate issued by Medical Board.
- ix. Certificate of legal guardianship in case of mentally retarded issued by competent authority.

19. I hereby declare:—

- (i) That I shall not accept any Financial Assistance in any other form, whatsoever, from any other source during the tenure of the Financial Assistance, if granted to me under the above scheme.
- (ii) That the statements made in this application are true to the best of my knowledge and belief and that no material/information has been concealed or withheld and no misrepresentation of facts made.
- (iii) That I shall be personally responsible for correctness of the information and I shall be liable for penal action as deemed fit against me including filing criminal case.

Date:—

.....
(Signature or thumb impression
of the applicant)

FOR OFFICE USE

Received an amount of Rs. 200/-/50/- (Rupees Two hundred only/ Rupees fifty only) from the applicant in cash as Registration Fees vide Application Number dated

Affix Stamp

.....
Signature
Director of Social Welfare

Dated:

To be filled in and Returned to Applicant

Received an amount of Rs. 200/-/Rs. 50/- (Rupees Two hundred/Rupees fifty only) from Shri/Smt./Kum. as Registration Fees for Financial Assistance under the DAYANAND SOCIAL SECURITY SCHEME vide Application Number dated

Affix Stamp
Signature
Director of Social Welfare

Dated:

VERIFICATION

(To be signed by any Gazetted Officer of the State Government or MLA/MP)

I, Shri/Smt. personally know Shri/Smt./Kum. (applicant).

I hereby certify that I have checked the particulars/information given in this application by Shri/Smt./Kum. resident of Goa.

The same is found to be correct for the grant of Financial Assistance under the DAYANAND SOCIAL SECURITY SCHEME Rules, 2001. The application is recommended.

Signature:
Name in block letters:
Designation (official):
Address(official) :
Telephone No. (official):

Affix the seal:—

Date:

Place:

ANNEXURE — A

Self Declaration of Occupation and Income

(To be certified and attested before a Gazetted Officer of State Government)

I, Shri/Smt./Kum. wife/son/daughter of major

of age, Indian National, resident of
do hereby solemnly affirm and state as under:—

1. I say and declare that, presently I am working as and my monthly salary/ income is Rs. (Rupees).
2. I say and declare that, my spouse (husband/ wife) is working as and his/her monthly salary/income is Rs. (Rupees).
3. I say and declare that my family per capita annual income from all sources does not exceed Rs. (Rupees).
- (a) Income from agricultural sources: Rs.
- (b) Income from Bank deposits: Rs.
- (c) Income from other sources: Rs.
- (d) Income from husband: Rs.

4. I say that the present declaration is to produce in the office of the Directorate of Social Welfare, Government of Goa, for availing Financial Assistance under DAYANAND SOCIAL SECURITY SCHEME.

5. I say that the contents of the foregoing paras are true and nothing is false.

6. I say and declare that in the event of any false declaration, that I shall be personally responsible for correctness of the information and I shall be liable for penal action as deemed fit against me including filing criminal case.

Solemnly affirmed at on this day of the month of of the year

Signed before Me Declarant
Signature:.....
Name and Designation of the
Gazetted Officer
Seal:—

ANNEXURE — B

Residence Certificate

(To be signed by Mamlatdar or Gazetted Officer of the State Government)

Certified that Shri/Smt./Kum. married/unmarried, age years, son/wife/ daughter of Shri is residing at House No..... situated at Ward Village/Town..... Taluka Goa, for the last years and months since

This certificate is issued at the request of Shri/ /Smt./Kum. for producing the same to the office of Directorate of Social Welfare, Panaji-Goa, for availing Financial Assistance under the DAYANAND SOCIAL SECURITY SCHEME.

Signature:

Name in block letters:

Designation:

Address (Official):

Telephone No. (Official):

Affix Seal

Date:

Place:

ANNEXURE — C

Self Declaration as a Single Woman, Unmarried

(To be Certified and Attested before a Gazetted Officer of the State Government)

I, Kum. daughter of major of age, Indian National, resident of..... do hereby solemnly declare as under:—

1. I say and declare that, presently I am unmarried.
2. I say and declare that, I am above 50 years of age.
3. I say that in the event of my marriage, I shall inform the Director of Social Welfare of the same and I shall not accept Financial Assistance under Dayanand Social Security Scheme.
4. I say that the present declaration is to produce in the office of the Directorate of Social Welfare, Government of Goa, for availing Financial Assistance under DAYANAND SOCIAL SECURITY SCHEME.
5. I say that the contents of the foregoing paras are true and nothing is false.
6. I say and declare that in the event of any false declaration, that I shall be personally responsible for correctness of the informations and I shall be liable for penal action as deemed fit against me including filing criminal case.

7. I Solemnly affirmed at
on this day of the month of
of the year

Signed before Me Declarant
Signature:.....
Name and Designation of the
Gazetted Officer
Seal:—

ANNEXURE — D

Life Certificate

PART - (A)

Affix
PHOTOGRAPH
attested by a
Gazetted
Officer/MLA/
/MP

DSSS Sanction Number:

Name of the beneficiary:

Full Address:

Constituency:

Signature/L.H.T. of Beneficiary with date:
(to be signed in presence of the Gazetted Officer)

.....

PART - (B)

(To be signed by the Gazetted Officer of the Goa
State Government/MLA/MP)

I, Shri/Smt.
do hereby certify that I personally know Shri/Smt.
.....r/o
.....
the beneficiary of DAYANAND SOCIAL SECURITY
SCHEME and Shri/Smt.
is alive as on day of
of the year

The beneficiary has signed the above part "A" of
the certificate in my presence.

Name of the Officer
Designation:
Official Stamp
Date:

ANNEXURE — E

Acceptance of Rs.50/- as token fee under
Dayanand Social Security Scheme
(To be signed by the MLA/MP)

Certificate

I, Shri/Smt.
hereby certify that I personally know Shri/Smt.
..... and
he/she is unable to pay Rs.200/- (Rupees two
hundred only) as registration fee prescribed under
"Dayanand Social Security Scheme". Therefore
Rs.50/- (Rupees fifty only) as token registration fees
may kindly be accepted and Rs.150/- (Rupees one
hundred fifty only) be deducted subsequently from
his/her first monthly pension amount on being
sanctioned under the scheme.

Accepted by: (.....)
Signature of MLA/MP

Name of Applicant:

Signature

Address (Official):.....

Telephone No. (Official):.....

SEAL

Date:

Place: Goa.

ANNEXURE — F

Application No.

APPENDIX — VIII

GOVERNMENT OF GOA

Directorate of Social Welfare

Panaji-Goa

Application for Transfer of Pension

To,
The Director,
Directorate of Social Welfare,
Panaji-Goa.

Dear Sir,

I hereby apply for the TRANSFER OF PENSION
under the scheme DAYANAND SOCIAL SECURITY
SCHEME and submit my particulars under:

1. Name in full:

(in block letters)

.....
(Surname) (Name)

2. Date of Birth (in figures and in words):

.....

3. Occupation:

ANNEXURE — G

4. Annual Income from all sources: Rs.

5. Full postal address:

Pin Code No.:

6. Contact No.:

7. In case applicant belongs to a family, the following details are to be given about the family members: (Below the age of 21 years):

Sr. No.	Name(s)	Age	Relationship with applicant	Occupation	Income per month
1	2	3	4	5	6

8. Details of spouse/original member:-

(a) Name of the spouse (deceased):

(Surname) (Name)

9. Date of death of spouse:

10. Registration No. under Dayanand Social Security Scheme:

11. L.I.C. Registration No.:

12. Date of Sanction/date of first payment:

13. Documents to be attached:

- a) Birth Certificate
- b) Death Certificate of spouse
- c) Copy of pass book
- d) Marriage certificate
- e) Ration card copy

Note: The certificates should be attested by M.P./MLA/Gazetted Officer.

14. Bank Details:

- a) Name of the Bank:
- b) Branch:
- c) Account No.:

I hereby declare that the statements made in this application are true to the best of my knowledge and belief and that no material/information has been concealed or withheld and no misrepresentation of facts made.

()
Signature or thumb
impression of the applicant

Date:

Place:

Certificate

(To be issued by the Government Doctor not below the rank of Chief Medical Officer/Health Officer)

This is to certify that I have examined Shri/ /Smt..... age resident of House No. ward village/ /town..... taluka constituency is suffering from requiring lifelong treatment.

It is also certified that the monthly cost of the medicines required for the treatment is Rs. (Rupees only). He/She is a beneficiary of Dayanand Social Security Scheme with Registration No. His/Her Aadhar Card number is

PHOTOGRAPH
(to be attested
by MLA or
Gazetted
Officer)

Name of the Doctor:

Signature of the Doctor from
Health Department **not below the
rank of Chief Medical Officer/
Health Officer.**

Official Rubber Stamp

Date:

Place:

ANNEXURE — H

APPLICATION FOR CLAIM OF MEDICAL
RE-IMBURSEMENT

Application No.

GOVERNMENT OF GOA

DIRECTORATE OF SOCIAL WELFARE,
Panaji-Goa

To,
The Director,
Directorate of Social Welfare,
Panaji – Goa.

PHOTOGRAPH
(to be attested
by MLA or
Gazetted
Officer)

Sub.: Request for re-imbursement of Medical
expenses.

Dear Sir,

I, hereby request for re-imbursement of monthly
medical expenses under the scheme.

My particulars as under:-

1. Name in full:
(in block letters) (Surname) (Name)
2. Date of Birth (in figures and in words):.....
3. Full Postal Address:
Constituency:
Taluka:
Contact No.:
4. Aadhar Card No.:
5. Sanction Number under Dayanand Social Security Scheme:
6. Nature of the illness:
7. Name of the Doctor/Hospital consulted:
8. Medicines prescribed by the Doctor for a month—

Sr. No.	Name of the Medicine	Quantity	Amount
1.			
2.			
3.			
4.			
5.			
6.			
7.			
TOTAL			

9. Bank Account details:

- a. Name of the Bank:
- b. Branch:
- c. Account Number:
- d. IFSC Code of the Bank:

I hereby declare:

- (i) That the statements made in this application are true to the best of my knowledge and belief and that no material/information has been concealed or withheld and no misrepresentation of facts made.
- (ii) That I shall be personally responsible for correctness of the information and I shall be liable for penal action as deemed fit against me.

Yours faithfully,
(Signature of the Applicant)

Documents to be enclosed:

- a) A Certificate prescribed in Annexure-I issued by Doctor from Health Department **not below the rank of Chief Medical Officer/Health Officer.**
- b) A copy of Aadhar Card.



Department of Transport

Directorate of Transport

Notification

D.Tpt/STA/1237/2013/3950

The Government of Goa is pleased to frame a scheme for replacement and procurement of new Yellow/Black Motorcycles, Yellow/Black Autorickshaws, Yellow/Black Taxis and Tourist Taxis (Single taxi Owner before September, 2013), in order to support this small scale, self employed vulnerable section of society and to ensure that old, unsafe and polluting passenger transport vehicles are removed from the roads to protect environment and to enhance road safety.

1. *Short title and commencement.*— This scheme may be called the Goa State Subsidy for Yellow/Black Motorcycles, Yellow/Black Autorickshaws, Yellow/Black Taxis and Tourist Taxi (Single taxi Owner before Sept., 2013), Scheme, 2013.

It shall come in force on the date of its publication in the Official Gazette and will be valid for a period of 3 years (Upto March 2016).

2. *Objectives.*— The scheme provides for socio-economic support to entrepreneurs in the trade of Yellow/Black Motorcycles, Yellow/Black Autorickshaws, Yellow/Black Taxis and Tourist Taxi (Single taxi Owner before Sept, 2013) and also intends to control vehicular pollution and provide an efficient, reliable and comfortable service to the passengers.

3. *Scope of the scheme.*— The scheme covers the owners of Yellow/Black Motor cycles, Yellow/Black Autorickshaws, Yellow/Black Taxis and Tourist Taxis (Single taxi Owner before Sept., 2013).

The scheme provides for disbursement of 25% subsidy for replacement of vehicles, subject to the following flat rates:

(1) Y/B Motorcycles 25% of the cost subject to the ceiling of Rs. 18,000/-.

(2) Y/B Autorickshaws 25% of the cost subject to ceiling of Rs. 40,000/-.

(3) Y/Black Taxis 25% of the cost subject to ceiling of Rs. 2,00,000/-.

(4) Tourist Taxi (Single taxi Owner before Sept., 2013), 25% of the cost subject to ceiling of Rs. 2,50,000/-.

(The cost shall include Basic Price of the Vehicle + all taxes and insurance and any other accessories fitted on the vehicle at the time of purchase subject to the ceiling. The cost of accessories shall not exceed 5% of the Basic Price of the vehicle.)

4. *Conditions of the scheme.*— (1) The beneficiaries of this scheme shall not alienate/transfer/sell the new vehicle purchased under this scheme to any other person for a period of 5 years from the date of availing benefit under the scheme. This condition will be endorsed on the Registration Certificate of the vehicle purchased under this scheme.

(1) In case due to any unforeseen or legal reasons, the vehicle purchased under the scheme has to be sold/transferred, prorata subsidy (25% for 5 years) shall have to be paid to the Government before any ownership can be transferred.

(2) The beneficiary of the scheme shall not change the vehicle from Yellow/Black Transport vehicle/Tourist Taxi vehicle to private vehicle for a period of 5 years. In case

of such conversion, the beneficiary has to pay the availed subsidy in prorata basis to the Government.

(3) The beneficiary under the scheme shall not be entitled for benefits under any other scheme of the Central or State Government. In case of applicants who have already availed benefit under any other scheme, the benefit under this scheme shall be sanctioned after deducting the benefit received under the other scheme.

The Regional Transport Authority/State Transport Authority in the State of Goa, shall be directed to consider the grant of Contract Carriage Permit to the beneficiaries, based on the Sanction Order issued by the Director of Transport without insisting on proof of purchase of vehicle.

5. *Eligibility.*— The following shall be the eligibility criteria for availing benefit under the scheme.

(1) The applicant under the scheme shall be the owner of the Yellow/Black Motorcycle, Yellow/Black Autorickshaw, Yellow/Black Taxi or Tourist Taxi (Single taxi Owner before September, 2013).

(2) The Motorcycle Taxi, Autorickshaw, Yellow/Black Taxi and Tourist Taxi (Single Taxi Owner before September, 2013), owned by the applicant shall be considered after having its registration more than 5 years, 7 years, 10 years and 9 years, respectively from the date of its initial registration in Goa.

(3) The applicant under the scheme shall be eligible for grant of subsidy for purchase of only one vehicle.

(4) The applicant shall purchase the new vehicle within the State of Goa: Provided with prior approval of Government vehicles which do not have dealership in the State can be purchased from other State subject to payment of Entry Tax.

6. *Procedure for gaining subsidy.*— The application for subsidy shall be submitted to the Director of Transport, Junta House, Panaji in the prescribed form alongwith the following documents:—

(i) Invoice or Proforma Invoice from the dealer of the vehicle within the State of Goa, showing the cost price of the vehicle.

(ii) In case the applicant intends to avail a loan the name and address of the bank or Financial Institution in Goa from whom it is proposed to take a loan.

(iii) Driving licence and badge.

(iv) In absence of Bank loan, proof of the balance amount available.

7. Procedure for Disbursement of subsidy.—

(1) The subsidy amount sanctioned shall be deposited in ICICI or any Nationalized Bank under the Quantum Option Account or similar account. The interest accrued shall be credited to the Government Treasury.

(2) In case of beneficiaries availing loan, the subsidy amount deposited in ICICI or any nationalized bank shall be remitted to the Bank or Financial Institution from which the beneficiary has availed the loan with a specific purpose of payment to the Dealer for purchase of the vehicle and interest remitted to the Government (Director of Transport).

(3) In case the beneficiary intends to purchase the vehicle from his own savings then the subsidy amount will be directly remitted by Demand Draft to the Dealer, against the request of the beneficiary and interest amount to Director of Transport.

8. Disbursement & Authority.— (1) Advance disbursement under the scheme will be done against sanction as prescribed in Para 7 above. Actual payment to the vehicle dealer will be the amount sanctioned and disbursed only. Interest will be refunded by the Bank (ICICI or any Nationalized Bank) to Director of Transport.

(2) Subsidy applications shall be approved by Committee chaired by Minister (Transport) as Chairman, Director (Transport) as Member Secretary, Secretary (Transport) Member Representative of beneficiaries as appointed by Government (one) Member, Director (Industries)— Member, One representative from the Special Employment Promotion Cell, nominated by Hon'ble Chief Minister — Member.

(3) Any difficulties arising in operation of the scheme shall be within the authority of the above Committee for redressal or removal.

9. The interpretation of the scheme by Director of Transport and as approved by the above Committee and the decisions on the grant of subsidy shall be final and no appeal shall lie against such decisions.

By order and in the name of Governor of Goa.

Arun L. Desai, Director & ex officio Addl. Secretary (Transport).

Panaji, 23rd October, 2013.

APPLICATION FORM

Application for Grant of Subsidy under Goa Subsidy for Yellow/Black Motorcycle, Yellow/Black Autorickshaw, Yellow/Black Taxi and Tourist Taxi (Single Taxi Owner Before Sept., 2013), Scheme, 2013

To,
The Director of Transport,
Panaji, Goa.

1. Name of the applicant:
2. Full address with H. No.:

-
- | | |
|--|--|
| 3. Temporary Address: | UNDERTAKING |
| 4. Type of vehicle proposed to be purchased: | |
| 5. Name of the Dealer: | I hereby undertake to comply with all the |
| 6. Driving licence No. and Badge No.: | conditions imposed by the Director of Transport in |
| 7. Name of the bank from whom loan is availed: | pursuance of the grant of subsidy. |
| 8. Any other information: | I submit the following documents required for the |
| | said scheme. |

Name & Signature of the applicant

Signature of the applicant

www.goaprintingpress.gov.in

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